MISSOURI DEPARTMENT OF NATURAL RESOURCES

FINANCIAL ASSISTANCE AGREEMENT

Assistance as described herein is hereby offered and accepted effective upon signature of authorized officials for the dates indicated in Budget Period and Project Period below.

RECIPIENT INFORMATION

RECIPIENT NAME	RECIPIENT TELEPHONE NUMBER WITH AREA CODE
City of Columbia	(573) 874 6343

ADDRESS	CITY	STATE	ZIP CODE
701 E. Broadway, P.O. Box 6015	Columbia	MO	65202

UNIQUE ENTITY ID	AWARD NUMBER	BUDGET PERIOD	PROJECT PERIOD
WZR4KM9CBTV3	3096B2EC9C24	11-15-2023 to 11-14-2026	11-15-2023 to 11-14-2026

RECIPIENT PROJECT MANAGER NAME	RECIPIENT PROJECT EMAIL ADDRESS	PROJECT MANAGER TELEPHONE NUMBER WITH AREA CODE
Lee White	Lee.White@como.gov	(573) 874-7252

PROJECT INFORMATION

RECIPIENT PROJECT TITLE AND PROJECT DESCRIPTION (ATTACH ADDITIONAL PAGES AS NECESSARY)

Stormwater Improvements Project - Full Award

The project includes installation of stormwater pipe, inlets and structures as well as construction of a detention basin. The grant to the city is consistent with the requirements described in the Notice of Funding Opportunity.

TYPE OF ASSISTANCE	SOURCE OF FUNDING	CFDA NUMBER	CFDA NAME
New Award ☐ Amendment ☑	Federal ☑ State ☐ Other ☐	21.027	Coronavirus State and Local Fiscal Recovery Funds

STATE PROJECT MANAGER NAME	STATE PROJECT MANAGER TELEPHONE NUMBER WITH AREA CODE	INDIRECT COST RATE FOR RECIPIENT
Maria Dorsey	(573) 522-2395	0%

RESEARCH AND DEVELOPMENT	RESEARCH AND DEVELOPMENT COMMENTS IF NEEDED
YES ☐ NO ☑	

PROJECT FUNDING	Original Amount	Original Percentage	Amended Amount	Amended Percentage	Total Amount	Total Percentage
Federal Award:	$ 33,301.66	79.00 %	$ 2,186,626.54	79.00 %	$ 2,219,928.20	79.00 %
State/Other Award:	$	%	$	%	$ 0.00	%
Recipient Match:	$ 8852.34	21.00 %	$ 581255.16	21.00 %	$ 590,107.50	21.00 %
Total Award:	$ 42,154.00	100.00 %	$ 2767881.7	100.00 %	$ 2,810,035.70	100.00 %

AGREEMENT ADMINISTRATION

THE ATTACHMENTS IDENTIFIED BELOW ARE INCORPORATED BY REFERENCE AS THOUGH FULLY RESTATED HEREIN. THE RECIPIENT AGREES TO ADMINISTER THIS AGREEMENT IN ACCORDANCE WITH ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS INCLUDING, BUT NOT LIMITED TO:

APPLICABLE PROGRAM GUIDELINES	APPLICATION NUMBER	RECIPIENT APPLICATION, AS NEGOTIATED, DATED
*See Federal Award Information Section	3096B2EC9C24	7/12/2022

BUDGET PLAN	DETAILED SCOPE OF WORK	SPECIAL CONDITIONS	GENERAL TERMS AND CONDITIONS	SUSPENSION/DEBARMENT	PUBLIC LAW
Attachment #	Attachment #	Attachment # 2	Attachment # 1	Attachment #	Attachment #

PUBLICATIONS	EPA MBE/WBE UTILIZATION	CERTIFICATE REGARDING LOBBYING	INVOICE	ADDITIONAL ATTACHMENTS	
Attachment #	Attachment # _____	Attachment #	Attachment #	Attachment # 3	Attachment # 4

AMENDMENT INFORMATION

AMENDMENT ID	AMENDMENT DESCRIPTION (ATTACH ADDITIONAL PAGES AS NECESSARY)
1	Increasing the budget and extending the budget and project period for construction

FEDERAL AWARD INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

FEDERAL AWARD PROJECT TITLE AND DESCRIPTION

U.S. Department of Treasury, Coronavirus State Fiscal Recovery Fund

*Section 603(b) of the Social Security Act as added by Section 9901 of the American Rescue Plan Act (ARPA), Pub. L. No. 117-2 (March 11, 2021) and implementing regulations and guidance.

FEDERAL AWARDING AGENCY	FEDERAL AWARD ID NUMBER	PASS THROUGH ENTITY NAME
United States Department of Treasury	073134579	MoDNR, and State of Missouri, Office of Administration

FEDERAL FUNDING YEAR	FEDERAL AWARD DATE	TOTAL AMOUNT OF FEDERAL AWARD	INDIRECT COST RATE FOR MoDNR
2022	07/28/21	$ 2,685,296,130.80	0.00 %

HAVE YOU OR AN IMMEDIATE FAMILY MEMBER EVER SERVED IN THE U.S. ARMED FORCES? YES ☐ NO ☐
*This question is optional.

IF YES, WOULD YOU LIKE INFORMATION ABOUT MILITARY-RELATED SERVICES IN MISSOURI? YES ☐ NO ☐
*This question is optional.

APPROVAL		
I am at least 18 years old, and certify I am duly authorized to accept this award for recipient using electronic signature. The recipient understands and agrees it is a condition precedent to receive reimbursement that recipient comply with and is not in breach or default of all terms and conditions of this award stated above and attached hereto, and that no request for reimbursement will be processed unless it is presented in proper form.		
RECIPIENT ORGANIZATION AUTHORIZED OFFICIAL NAME AND TITLE (TYPED) Andrew Wyatt Grant Administrator	SIGNATURE	DATE
DEPARTMENT OF NATURAL RESOURCES DIRECTOR OR DESIGNEE NAME (TYPED) Darcy Bybee	SIGNATURE	DATE

780-2664 (04/23)

Instructions for MoDNR staff completing Financial Assistance Agreement Form

Recipient Information: complete all fields

- Recipient Name – Must match the registered name in the System for Award Management (SAM). If the recipient is not yet registered in SAM, then they should be provided with information on how to register (http://www.sam.gov).
- Unique Identifier – Must match the unique identifier number in SAM. Currently it is the recipient's Data Universal Numbering System (DUNS) number which the recipient must have prior to the award. DUNS numbers may be obtained without charge at http://fedgov.dnb.com/webform.

Project Information: complete all fields

- CFDA Number – The Catalog of Federal Domestic Assistance (CFDA) number is found on the Notice of Award.
- CDFA Name – Is found on the Notice of Award.
- Research and Development Comments – Complete field if checking "Yes" in the Research and Development field.
- Project Funding – The Original Amount, Original Percent, Total Amount and Total Percentage fields must be completed. If the original agreement amount is being amended, the Amended Amount and Amended Percentage fields must also be completed.

Agreement Administration: complete all applicable fields.
Attachments included in the agreement packet should all be identified in this section.

Amendment Information: complete all fields if amending the agreement

- Amendment ID – Enter the amendment number (i.e., enter "1" if it is the first amendment, enter "2" if it is the second amendment, etc.).
- Amendment Description – Summarize what is being amended. Example: Original agreement amount is being increased by $500,000 and the Budget Period and Project Periods are being extended six months.

Federal Award Information: Complete all fields if using federal funds for any part of the award. If the award is being funded by multiple federal grants, information on each grant must be included as an attachment.

- Federal Award Project Title and Description – Refer to the Notice of Award from the federal agency.
- Federal Awarding Agency – Designate from which federal agency MoDNR received pass through funds.
- Federal Award ID Number – Refer to the Notice of Award.
- Pass Through Entity Name – Enter information in this format: *Division, Program.*
- Federal Funding Year – Federal year the funding is provided.
- Federal Award Date – Date the federal award is signed by the authorized official of the Federal awarding agency. Refer to the Notice of Award.
- Total Amount of Federal Award – Enter the total amount awarded by the federal agency to include any amended amounts. Refer to the Notice of Award.
- Indirect Cost Rate for MoDNR – Current MoDNR rates can be found at http://n-nr1ntra.ads.state.mo.us/das/rates-current.htm .

Approval: complete fields below

- Department of Natural Resources Director Or Designee – Enter the name of the MoDNR director.
- Recipient Organization Authorized Official Name and Title – Enter the name and title of the person who will be signing on behalf of the recipient organization, if known.

TERMS AND CONDITIONS FOR GRANTEE RECEIPT OF FEDERAL ARPA SFRF FUNDS

I. Use of Funds: City of Columbia ("Grantee") understands and agrees that the funds disbursed under this grant may only be used in compliance with section 602(c) of the Social Security Act ("Act"), as added by Section 9901 of the American Rescue Plan Act ("ARPA"), Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223–26, and the U.S. Department of the Treasury ("Treasury")'s regulations implementing that section and guidance, and in compliance with all other restrictions and specifications on use set forth in or applicable through this agreement. Grantee will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project.

Period of Performance: The period of performance for this award begins on the date hereof and ends on 11-14-2026. Grantee may use funds granted under this agreement to cover eligible costs incurred during the period of performance, but no later than 11-14-2026.

Reporting: Grantee agrees to comply with any reporting obligations established by Treasury or the State of Missouri ("State"), as it relates to this grant. Those reporting obligations shall include, without limitation, the following: reporting that is necessary for the State to comply with the Treasury's Project and Expenditure Report User Guide for State and Local Fiscal Recovery Funds, Version: 2, dated April 1, 2022 and any later versions of that publication.[1]

Maintenance of and Access to Records: Grantee shall maintain records and financial documents sufficient to evidence compliance with section 602(c) of the Act and Treasury's regulations implementing that section and guidance regarding the eligible uses of funds. Grantee shall also maintain records and financial documents: 1. sufficient for the State, with respect to Grantee's participation in this grant agreement, to evidence compliance with section 602(c) of the Act and Treasury's regulations implementing that section and guidance regarding the eligible uses of funds; and 2. necessary for the State, with respect to Grantee's participation in this grant agreement, to comply with obligations under 2 C.F.R. Part 200 and any other applicable law. For subrecipients, Grantee shall further maintain all records and financial documents necessary for: 1. Grantee to comply with obligations as a subrecipient under 2 C.F.R. Part 200; and 2. the State to comply with obligations as a pass-through entity under 2 C.F.R. Part 200. The Treasury Office of Inspector General, the Government Accountability Office, their authorized representatives, the State, or its authorized representatives, shall have the right of access to records and documents (electronic and otherwise) of Grantee in order to conduct audits or other investigations or reviews.[2]

[1] For subrecipients, in the case of an additional reporting requirement imposed by the State under 2 C.F.R. § 200.332(a)(3), this agreement shall be amended.

[2] For subrecipients, the State's right of access in this paragraph includes, but is not limited to, the right set forth at 2 C.F.R. § 200.332(a)(5) that "the pass-through entity and auditors [shall] have

Records shall be maintained by Grantee for a period of five (5) years after all funds have been expended or returned to the State, whichever is later. Wherever practicable, records should be collected, transmitted, and stored in open and machine-readable formats. Grantee's obligations under this section shall include, without limitation, maintenance of the following specified types of records and financial documents: documents that are necessary for the State to comply with the Treasury's Project and Expenditure Report User Guide for State and Local Fiscal Recovery Funds, Version: 2, dated April 1, 2022 and any later versions of that publication.[3]

Pre-award Costs: Pre-award costs, as defined at 2 C.F.R. § 200.458, may not be paid with funding from this grant.

Conflicts of Interest: For subrecipients only, Grantee understands and agrees that it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this grant. Grantee must disclose in writing to Treasury or the State, as appropriate, any potential conflict of interest affecting the granted funds in accordance with 2 C.F.R. § 200.112.

Compliance with Applicable Law and Regulations: Grantee agrees to comply with the requirements of section 602 of the Act, regulations adopted by Treasury pursuant to section 602(f) of the Act, guidance issued by Treasury regarding the foregoing, and all other restrictions and specifications set forth in or applicable through this agreement. Grantee also agrees to comply with all other applicable state and federal statutes, regulations, and executive orders, and Grantee shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this grant.

Federal regulations applicable to this grant include, without limitation, the following:

i. For subrecipients only, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this grant and subject to such exceptions as may be otherwise provided by Treasury. Excepting for-profit subrecipients, Subpart F – Audit Requirements of Uniform Guidance, implementing the Single Audit Act, shall apply to this grant;

ii. For subrecipients only, Universal Identifier and System for Award Management ("SAM"), 2 C.F.R. Part 25, pursuant to which the award term set forth at Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference;

iii. For subrecipients only, Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth at Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference;

access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this part."

[3] For subrecipients, in the case of an additional record-keeping requirement imposed by the State under 2 C.F.R. § 200.332(a)(3), this agreement shall be amended.

iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, and Treasury's implementing regulation at 31 C.F.R. Part 19, including both the requirement to comply with that part's Subpart C as a condition of participation in this transaction, and the requirement to pass the requirement to comply with that subpart to each person with whom the participant enters into a covered transaction at the next lower tier;

v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth at 2 C.F.R. Part 200, Appendix XII, is hereby incorporated by reference;

vi. For subrecipients only, Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20;

vii. For subrecipients only, New Restrictions on Lobbying, 31 C.F.R. Part 21;

viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601–4655) and implementing regulations; and

ix. Generally applicable federal environmental laws and regulations.

Federal statutes and regulations prohibiting discrimination applicable to this grant include, without limitation, the following:

i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d *et seq*.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

ii. the Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 *et seq*.) which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;

iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;

iv. the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 *et seq*.) and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and

v. For subrecipients and local governments only, Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 *et seq*.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

Remedial Actions: The State reserves the right to impose additional conditions or requirements on Grantee's receipt of this grant, as the State deems necessary or advisable, in order

to facilitate compliance with any existing or additional conditions or requirements imposed upon the State by Treasury for the State's receipt of ARPA funds. The State also reserves the right to seek recoupment or repayment of this grant in whole or in part, in the event that Treasury seeks recoupment or repayment of payments made to the State, for reasons relating to Grantee's acts or omissions respecting this grant. These reservations are expressed without limitation to any other rights the State may hold, either to impose additional conditions or requirements on Grantee's receipt of this grant or to recoup this grant in whole or in part, under this agreement or other applicable law.

Hatch Act: Grantee agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.

False Statements: Grantee understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

Publications: Any publications produced with funds from this grant must display the following language: "This product [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to State of Missouri by the U.S. Department of the Treasury."

Debts Owed State and Federal Government: Any funds paid to Grantee (1) in excess of the amount to which Grantee is finally determined to be authorized to retain under the terms of this grant; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to sections 602(e) and 603(b)(2)(D) of the Act and have not been repaid by Grantee shall constitute a debt owed by the State to the federal government. In such instance, the funds constituting the State's debt to the federal government shall also constitute Grantee's debt to the State. Debts owed by Grantee to the State must be paid promptly by Grantee. A debt owed the State by Grantee under this agreement is delinquent if it has not been paid by the date specified in the State's initial demand for payment, unless other satisfactory arrangements have been made or if Grantee knowingly or improperly retains funds that are a debt as defined in this paragraph. The State will take any actions available to it to collect such a debt, including but not limited to actions available to it under the "Remedial Actions" paragraph found in this same section (I) above. The rights of the State as expressed in this paragraph are in addition to, and do not imply the exclusion of, any other rights the State may have under applicable law to collect a debt or seek damages from Grantee.

Disclaimer: In its award of federal financial assistance to the State, Treasury provides that the United States expressly disclaims any and all responsibility or liability to the State or third persons for the actions of the State or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract or subcontract under this award. Furthermore, in its award of federal financial assistance to the State, Treasury

also states that the acceptance of this award by the State does not in any way establish an agency relationship between the United States and the State. This disclaimer applies with equal force to this grant.

Protections for Whistleblowers: For grants to subrecipients exceeding $250,000: In accordance with 41 U.S.C. § 4712, Grantee may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant. The list of persons and entities referenced in the statement above includes the following:

i. a member of Congress or a representative of a committee of Congress;

ii. an Inspector General;

iii. the Government Accountability Office;

iv. a Treasury employee responsible for contract or grant oversight or management;

v. an authorized official of the Department of Justice or other law enforcement agency;

vi. a court or grand jury;

vii. a management official or other employee of the State or Grantee who has the responsibility to investigate, discover, or address misconduct.

Grantee shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

Increasing Seat Belt Use in the United States: Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Grantee should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

Reducing Text Messaging While Driving: Pursuant to federal Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), the State hereby encourages Grantee to adopt and enforce policies that ban text messaging while driving.[4]

II. By entering into this agreement, Grantee ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation,

[4] Section I is based on requirements set forth in Treasury's Coronavirus State Fiscal Recovery Fund Award Terms and Conditions document, executed by the State on July 26, 2021.

denial of the benefits of, or subjection to discrimination under programs and activities receiving federal funds, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by Treasury Title VI regulations at 31 C.F.R. Part 22 and other pertinent executive orders such as federal Executive Order 13166; directives; circulars; policies; memoranda and/or guidance documents.

Grantee acknowledges that federal Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English Proficiency ("LEP"). Grantee understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and Treasury's implementing regulations. Accordingly, Grantee shall initiate reasonable steps, or comply with Treasury's directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Grantee understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in Grantee's programs, services, and activities.

Grantee agrees to consider the need for language services for LEP persons during development of applicable budgets and when conducting programs, services, and activities. As a resource, Treasury has published its LEP guidance at 70 FR 6067. For more information on LEP, please visit http://www.lep.gov.

Grantee acknowledges and agrees that compliance with this assurance constitutes a condition of continued receipt of federal financial assistance and is binding upon Grantee and Grantee's successors, transferees, and assignees for the period in which such assistance is provided.

Grantee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.*), as implemented by the Department of the Treasury's Title VI regulations, 31 C.F.R. Part 22, which are herein incorporated by reference and made a part of this agreement. Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d* et seq.*, as implemented by the Department of the Treasury's Title VI regulations 31 C.F.R. Part 22, and herein incorporated by reference and made a part of this agreement.*

Grantee shall cooperate in any enforcement or compliance review activities by Treasury or the State of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. That is, Grantee shall comply with information requests, on-site compliance review, and reporting requirements.

Grantee shall maintain and provide to applicants, beneficiaries, their representatives, or any other party requesting the same, information on how to file a Title VI complaint of discrimination with the State of Missouri.

Grantee shall provide to the State documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other agreements between Grantee and the administrative agency that makes any such finding. If Grantee settles a case or matter alleging such discrimination, Grantee must provide to the State documentation of the settlement. If Grantee has not been the subject of any court or administrative agency finding of discrimination, Grantee shall so state.

The United States of America has the right to seek judicial enforcement of the terms of this assurances section and nothing in this section alters or limits the federal enforcement measures that the United States may take in order to address violations of this section or applicable federal law.

Under penalty of perjury, the undersigned certifies that he/she has read and understood this section's obligations as herein described, that any information submitted in conjunction with this assurance document is accurate and complete, and that Grantee is in compliance with the aforementioned nondiscrimination requirements.

By signing this certification, the undersigned represents his or her intention, and legal authorization, to do so on behalf of Grantee.[5]

Date:

Signature of Grantee's Authorized Representative

_____

Printed Name of Authorized Representative

************THE SECTIONS BELOW APPLY ONLY TO SUBRECIPIENTS************

III. This grant to City of Columbia ("Grantee") constitutes a subaward[6] of federal financial assistance[7] provided to the State of Missouri ("State") by the U.S. Department of Treasury.

[5] Section II is based on requirements set forth in Treasury's Assurance of Compliance with Civil Rights Requirements document, executed by the State on July 26, 2021.

[6] "Subaward" is defined at 2 C.F.R. § 200.1.

[7] "Federal financial assistance" is defined at 2 C.F.R. § 200.1.

the Treasury ("Treasury") pursuant to Section 602(b) of the Social Security Act ("Act"), as added by Section 9901 of the American Rescue Plan Act ("ARPA"), Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223–26. Grantee is a subrecipient[8] and the State is a pass-through entity[9] for purposes of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards set forth at 2 C.F.R. Part 200. The following is provided to Grantee pursuant to 2 C.F.R. § 200.332(a)(1):

- Subrecipient name (which must match the name associated with its unique entity identifier): City of Columbia
- Subrecipient's unique entity identifier:WZR4KM9CBTV3
- Federal Award Identification Number (FAIN): 073134579
- Federal Award Date of award to the recipient by the Federal agency: 07/28/2021
- Subaward Period of Performance Start and End Date: 11-15-2023 to 11-14-2026
- Subaward Budget Period Start and End Date: 11-15-2023 to 11-14-2026
- Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient: 2,186,626.54
- Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation: 2,219,928.20
- Total Amount of the Federal Award committed to the subrecipient by the pass-through entity: 2,219,928.20
- Federal award project description: ARPA appropriated $195.3 billion for payments from the Coronavirus State Fiscal Recovery Fund ("SFRF") to states through Treasury. Act § 602(a)(3)(A), ARPA § 9901, 135 Stat. 4, 224. Those monies are for states "to mitigate the fiscal effects stemming from the public health emergency with respect to [COVID-19]." Act § 602(a)(1), ARPA § 9901, 135 Stat. 4, 223. The State has received more than $2.6 billion in ARPA SFRF funds, separate from local government allocations. In accordance with the budget passed by the Missouri legislature, the State intends that these funds be utilized for the purposes set forth in ARPA, consistent with other applicable federal law. As part of this effort, the State has elected to distribute a portion of its SFRF funding to appropriate subrecipients.

[8] "Subrecipient" is defined at 2 C.F.R. § 200.1.

[9] "Pass-through entity" is defined at 2 C.F.R. § 200.1.

- Name of Federal awarding agency: U.S. Department of Treasury.

- Name of pass-through entity: State of Missouri.

- Contact information for awarding official of pass-through entity:
  - Name: Maria Dorsey
  - Phone Number: 573-522-2395
  - Email Address: Maria.Dorsey@dnr.mo.gov

- Assistance Listings number and Title (pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement): 21.027 Coronavirus State and Local Fiscal Recovery Funds

- Identification of whether the award is R & D: No

- Indirect cost rate for the Federal award (including if the de minimis rate is charged) per § 200.414: 0.0%

IV. For grants exceeding $100,000:

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 an 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, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(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, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form–LLL, "Disclosure Form to Report Lobbying," 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 subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) 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.

By signing this certification, the undersigned represents his or her intention, and legal authorization, to do so on behalf of Grantee.[10]

Date:

Signature of Grantee's Authorized Representative

Printed Name of Authorized Representative

V. In addition to the other authorities identified in this agreement, Grantee must comply with 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"). The Uniform Guidance is an extensive body of federal rules, and so will not be recited here comprehensively. However, **Grantee must perform this agreement in compliance with the entirety of the Uniform Guidance, not just the provisions discussed in this section.**[11]

Beyond its definitions and acronym identifications (Subpart A), the Uniform Guidance contains five subparts. Subpart B, "General Provisions," includes a statement of purpose (which provides a general outline of the Part), 2 C.F.R. § 200.100, a provision on conflicts of interest (*see* Section III above), 2 C.F.R. § 200.112, and a provision on mandatory disclosures, 2 C.F.R. § 200.113. Subpart D, "Post Federal Award Requirements," itself covers a range of topics. 2 C.F.R. § 200.302 requires, *inter alia*, that "financial management systems . . . must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award." *Id*. at (a). 2 C.F.R. § 200.303 requires, *inter alia*, "[e]valuat[ion] and monitor[ing]" of "compliance with statutes, regulations and the terms and conditions of Federal awards," as well as the "[t]ak[ing] [of] prompt action when instances of noncompliance are identified including noncompliance identified in audit findings." *Id*. at (c) and (d), respectively. Subpart D also includes "Property Standards." 2 C.F.R. §§ 200.310–.327. These sections address Grantee's interaction

[10] Section II is based on requirements set forth at 31 C.F.R. Part 21. Appendix A of that part sets forth this certification.

[11] 2 C.F.R. Part 200, Subpart F does not apply to for-profit entities. However, "[f]or-profit entities that receive SLFRF subawards . . . are subject to other audits as deemed necessary by authorized governmental entities, including Treasury and Treasury's [Office of Inspector General]." Treasury's *Compliance and Reporting Guidance: State and Local Fiscal Recovery Funds*, published February 28, 2022 (Version 3.0), p.12, n.7. Such other audits may be imposed by the State. *Id*. *See also* 2 C.F.R. § 200.501. For-profit subrecipients shall comply with any audit requirements imposed by the State.

with equipment and real property, as well as providing standards for procurement. 2 C.F.R. § 200.329 addresses the monitoring and reporting of program performance. Beginning at 2 C.F.R. § 200.334, Subpart D lists numerous requirements for "Record Retention and Access," which should be read in concert with the several terms and conditions of this agreement. Subpart E, "Cost Principles," begins with provisions providing a basic framework for understanding and applying the bulk of these requirements. *See* 2 C.F.R. §§ 200.400 and .401. Subpart E includes a rule on "Reasonable Costs," 2 C.F.R. § 200.404, which provides a definitional authority as well as primary factors for consideration. *Id*. This subpart also provides a considerable listing of "Selected Items of Cost," and "General Provisions" for each. 2 C.F.R. §§ 200.420–.476. Subpart F is dedicated to the topic of audits. *See* 2 C.F.R. § 200.500 *et seq*. With certain qualifications, subrecipients are subject to audit pursuant to the federal Single Audit Act and this subpart of the Uniform Guidance. *See* n.12 above, and the authorities there cited.

Attachment 2 to Amendment #1

Special Terms and Conditions for Recipient
Missouri ARPA Water Infrastructure Grant Program
Grant Award Number: 3096B2EC9C24
Entity Name: City of Columbia

The following are special terms and conditions in addition to the federal terms and conditions for recipients.

I. Administrative Terms

1. **Method of Payment:** The recipient will request reimbursement through the American Rescue Plan Act (ARPA) Grant Management Portal at https://moarpa.mo.gov and will be reimbursed by the State of Missouri. The recipient agrees to submit requests for reimbursement along with supporting documentation no more frequently than monthly.

   The Department allows the following reimbursement methods.

   a. Reimbursement of incurred costs:

   The recipient can request reimbursement of incurred costs. For reimbursement of incurred costs, the recipient must submit either paid or unpaid invoices with the request through the portal. Requests for reimbursement will be paid proportional to the Federal Award and Recipient Match percentages per the executed Financial Assistance Agreement (FAA). No reimbursement will be made for expenditures prior to award. No reimbursements will be made for expenditures incurred after the budget period end date unless a budget time period extension has been granted by the Department prior to the budget period end date.

   The recipient shall be responsible for local cost share funds to pay all remaining eligible invoice amounts. In addition, the recipient is responsible for paying any ineligible costs and costs that exceed the grant award amount listed on the FAA.

   b. Advance reimbursement:

   The recipient can request a single advance payment of twenty-five percent of the total project cost. To request an advance payment the recipient must submit a cost estimate of the project. As work is completed, actual invoices equal to the advance payment must be submitted through the portal. On a case by case basis, the Department reserves the right to hold future reimbursement of incurred costs until invoices equal to the amount of the advance payment are submitted. No reimbursement will be made for advance payments prior to award. No reimbursements will be made for advance payments after the budget period end date unless a budget time period extension has been granted by the Department prior to the budget period end date.

   c. Applicable to both methods:

   All requests for reimbursement of incurred costs or advance payments must be approved by the authorized representative of the project. By submitting a request for reimbursement through the portal, the recipient is acknowledging that the project cost estimate or invoices are true, complete and accurate and are for the purposes and

objectives set forth in the terms and conditions of the FAA. You are aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject you to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.

The Department will not reimburse expenses or disburse advance payments under any contracts until the Department has reviewed and approved said contracts. The Uniform Act requires applicable contract clauses required by 2 CFR 200.327, and recipients must follow the procurement standards in 2 CFR 200.318 through 200.327, including ensuring that the procurement methods used for the contracts are appropriate.

2. **Local Cost Share Funding:** Failure by the applicant to provide 100% of the local cost share that it committed to contribute to the project, as identified in the FAA, may cause the recipient to become ineligible to receive additional financial assistance from the Department. Failure to provide the required local cost share may also result in other enforcement remedies as stated in the federal rules found in 2 CRF Part 200 Subpart D, "Post Federal Award Requirements".

3. **Changes in Budget, Scope of Work, or Period of Performance**: The following is a non-exhaustive listing of when a recipient must request approval from the Department, in writing or through the messaging feature in the portal, to amend project budgets, scope of work, or period of performance:

    a. When subcontracting, subgranting, or otherwise obtaining a third party to perform activities which are central to the purpose of the award.

    b. To extend the budget or payment periods listed in the FAA. For these extensions, the recipient must notify the Department in writing or through the messaging feature in the portal. The request must include justification for the extension request, and a revised period of performance at least 90 calendar days before the end of the period of performance specified in the FAA.

4. **Disputes**: The recipient and the Department should attempt to resolve disagreements concerning the administration or performance of the FAA. If an agreement cannot be reached, the Department will provide a written decision. Such decision of the Department shall be final unless a request for review is submitted to the Division Director within ten (10) business days after the decision. Such request shall include:
   (1) a copy of the Department's final decision; (2) a statement of the amount in dispute; (3) a brief description of the issue(s) involved; and (4) a concise statement of the objections to the final decision. A decision by the Department shall constitute final action.

5. **Termination**:

    a. Termination for Cause: The Department may terminate any FAA, in whole or in part, at any time before the date of completion, whenever it is determined that the recipient has failed to comply with the terms and conditions of the FAA. The Department shall promptly notify the recipient in writing of such a

determination and the reasons for the termination, together with the effective date. The Department reserves the right to withhold all or a portion of agreement funds if the recipient violates any term or condition of this FAA. Termination for cause may be considered for evaluating future applications. The recipient may object to terminations with cause and may provide information and documentation challenging the termination.

b. Termination for Convenience: Both the Department and the recipient may terminate the FAA, in whole or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds.

c. FAAs are not transferable to any person or entity.

d. Department and recipient remain responsible for compliance with all closeout requirements.

6. **Enforcement; Remedies for Noncompliance**: If the recipient falsifies any award document or materially fails to comply with any term of this FAA, the Department may take one or more of the following actions, as appropriate:

   a. Suspend or terminate, in whole or part, the current agreement;

   b. Disallow all or part of the cost of the activity or action not in compliance;

   c. Temporarily withhold payments pending the recipient's correction of the deficiency;

   d. Withhold further awards from the recipient;

   e. Order the recipient not to transfer ownership of equipment purchased with assistance money without prior Department approval; or

   f. Take other remedies that may be legally available, including cost recovery, breach of contract, and suspension or debarment.

7. The recipient agrees to ensure that all space for conferences, meetings, conventions or training funded in whole or in part with Federal funds comply with the Hotel and Motel Fire Safety Act of 1990.

8. The recipient agrees to follow the requirements set out in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6962). RCRA Section 6002 states that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in the guidelines contained in 40 CFR 247.

9. The recipient agrees that funds expended for the purposes of this FAA must be appropriated and made available by the Missouri General Assembly for each fiscal year included within the FAA period. Therefore, the FAA shall automatically terminate without penalty or termination costs if such funds are not appropriated and/or granted. In the event that funds are not appropriated and/or granted , the recipient shall not prohibit or otherwise limit the Department's right to pursue alternate solutions and remedies as deemed necessary for the conduct of state government affairs. The requirements stated in this paragraph shall apply to any amendment or the execution of any option to extend the FAA.

II. Programmatic Terms

1. The recipient understands that the use of their work force to perform ARPA funded engineering or construction oversight is not eligible for reimbursement under Missouri's State ARPA program.

2. The recipient agrees to meet the project schedule provided with the funding application or the most recent amended schedule approved by the Department project manager unless justifiable delays occur due to unexpected circumstances. Whenever significant schedule changes occur, the recipient will provide the Department project manager with an amended schedule and an explanation for the changes.

3. In accordance with 8.960, RSMo, the recipient agrees to make prompt payment to its contractor(s) of sums due under this funding agreement and to retain only amounts as may be justified by specific circumstances and provisions of this funding agreement or the construction contract(s).

4. The recipient agrees that a manual or manuals describing the proper operation and maintenance of each system will be prepared prior to works in operation.

5. Generally Accepted Accounting Principles. The recipient shall maintain project accounts in accordance with generally accepted government accounting standards, including standards relating to the reporting of infrastructure assets.

III. Preaward

Costs incurred prior to the signing of the grant award may be reimbursed under specific circumstances.

a. The costs must fall within all general eligibility requirements that are applicable to costs incurred after grant award. This includes state and federal procurement requirements for engineering expenses.

b. ARPA funds may only be used to pay for preapproved costs incurred after March 03, 2021.

c. Costs must be consistent with 2 CFR 200.458.

Stormwater Infrastructure - DNR-SW-3096B2EC9C24

Contacts & Representatives

Applicant / Continuing Authority	City of Columbia (grants@como.gov) - 701 E. Broadway, P.O. Box 6015
Authorized Representative	Andrew Wyatt (andrew.wyatt@como.gov) - 701 E. Broadway, P.O. Box 6015
Application Completed By	Andrew Wyatt (andrew.wyatt@como.gov) - 701 E. Broadway, P.O. Box 6015
Architectural and Engineering Consultant	Select Contact...

Applicant / Continuing Authority

Applicant Type	Incorporated Municipality
Missouri Operating Permit No.	MO-0136557

General and Financial Information

Population	126,853
Population of area to be served (if different from the population of the entire service area)	4,236
Median Household Income (MHI) (per most recent ACS data)	38,214.00
Unemployment Rate (per most recent ACS data)	
Percentage of households that meet the low-to-moderate income definition (per most recent ACS data)	
Percentage of households in poverty (per most recent ACS data)	
11-Digit Census Tract Number(s) for Project	29-019-001502
50% of population is served by the project part of a qualified census tract?	Yes
System Outstanding Debt (Stormwater-related debt only)	0.00
Does the applicant have a dedicated repayment source that can be used for Stormwater projects?	Yes
Does the applicant assess a fee for Stormwater service?	Yes
If yes, please describe how it is assessed.	*Multiple-family buildings having more than four units; single-family residences having a main floor area less than 750 sq. ft. $1.90 per unit/month

Project Description

Project Description	The major component of this project is a new detention basin. The basin is designed for the water quality storm event which will reduce sedimentation and erosion issues downstream. The project includes approximately 2,100 feet of
Will the project address a schedule of compliance or Administrative Order on Consent? Will the project bring a non-compliant system into compliance?	No
If yes, please provide information below describing the current compliance issue.	
Has the applicant updated their Stormwater Management Plan (SWMP) to include a description of this project?	No
Does the project tie to one of the minimum control measures (MCM)?	Yes
Does the project create resiliency by mitigating hazardous wet weather events to improve operations and service?	Yes
If yes, please explain.	Yes, this project creates resiliency. The detention basin is sized to meet the City's Channel Protection release rate. That is, the detention detains enough stormwater to delay the peak flow of the stormwater for 24 hours in the 1-year rainfall event.
For minimum control measures, does the project tie to MCM 3: Illicit Discharge Detection and Elimination	No
For minimum control measures, does the project tie to MCM 5: Management of Post Construction Runoff	Yes
For minimum control measures, does the project tie to MCM 8: Flood Control Projects	Yes
For minimum control measures, does the project tie to Other	No
Please describe Other MCM	
Is this a Design-Build Project?	No

Engineering Assessment

Has the applicant completed an engineering assessment?	Yes, it is attached with this application.
If no, please enter the anticipated completion date for the engineering assessment.	

Architectural and Engineering Consultant

Has the applicant procured engineering services? (If yes, attach procurement documentation)	No

Estimated Project Cost

Date of Cost Estimate	06/22/2022

Engineering (Planning and Design)	32,000.00
Engineering (Construction Phase)	0.00
Engineering (Inspection)	0.00
Land and Easements	453,700.00
Construction	2,068,877.91
Equipment	0.00
Other Cost	0.00
Specify Other Cost	0
Contingencies (estimate 10%)	255,457.79
Total Estimated Project Costs	2,810,035.70
Local Cost Share (Documentation committing other funds for cost share must be uploaded with the application. See Applicant Assurance of Local Share Form.)	590,107.50
ARPA Funding Request (this application only)	2,219,928.20

Expenditure Categories

Expenditure Categories: Please select the option that is most applicable to your project.	5.6-Clean Water: Stormwater
Other Problems Addressed	

Estimated Project Schedule

Engineering Assessment complete date	06/30/2022
Engineering Plans and Specifications completed date	12/01/2023
Construction start date	06/01/2025
Initiation of operation date	09/01/2025
Project completion date	12/01/2025

Files

Project Location Map	Calvert Drive - Project Location Map.pdf
Engineering Report	Calvert Drive ARPA Engineering Report.pdf
Compliance Schedule or Other Enforcement Document	

Procurement Documentation	Procurement_Certification.Calvert.signed.pdf
Resolution of Governing Body of Applicant	Certified Copy.pdf
Local Cost Share	local-cost-share-form Calvert.signed.pdf

Notice of Funding Opportunity for
State American Rescue Plan Act
Water Infrastructure Community Grant Programs

Financial Assistance Center
Division of Environmental Quality

This page is intentionally blank.

Notice of Funding Opportunity for State American Rescue Plan Act Water Infrastructure Community Grant Programs

Purpose:
This guidance document describes the Missouri Department of Natural Resources' Financial Assistance Center's (FAC) procedure for soliciting, evaluating, and awarding State of Missouri American Rescue Plan Act (ARPA) grants to eligible recipients. It provides potential applicants important information necessary to understand the state ARPA water infrastructure community grant programs.

Authority:
On March 11, 2021, the President signed the American Rescue Plan Act of 2021 (the Act) into law (Section 602(b) of the Social Security Act, as added by section 9901 of the American Rescue Plan Act (ARPA), Pub. L. No. 117-2). The Act will fund a multitude of efforts aimed at alleviating the COVID-19 pandemic and associated economic downturn. As part of those efforts, the ARPA provided over $2.6 billion dollars to the State of Missouri for a number of uses, including funding "to make necessary investments in water, sewer, and broadband infrastructure."

Based on a recommendation by the Governor, the state legislature appropriated $410 million dollars of state ARPA funds to the Department in state fiscal year 2023 to invest in Missouri's water infrastructure through community grant programs.

Intent:
The U.S. Department of Treasury's (Treasury) Final Rule (31 CFR Part 35[1]) (the Final Rule) states that ARPA investments in water and sewer must be necessary. Treasury considers a necessary investment in infrastructure be one that is (1) responsive to an identified need to achieve or maintain an adequate minimum level of service, which may include a reasonable projection of increased need, whether due to population growth or otherwise and (2) a cost-effective means for meeting that need, taking into account available alternatives. The Department is offering a competitive, reimbursement grant opportunity for communities with infrastructure affordability challenges to complete necessary drinking water, wastewater, and stormwater capital-improvement infrastructure projects as well as lead service line inventories.

Program Details:
The Department's FAC will administer four separate ARPA grant programs for water and sewer infrastructure. Program-specific details can be found in the appendices to this document. These grant programs and their available funding amounts are listed below.

- Drinking water infrastructure projects: $125 million
- Wastewater infrastructure projects: $125 million
- Stormwater infrastructure projects: $150 million
- Lead service line inventories: $10 million

The maximum grant award for a drinking water, wastewater, or stormwater project will be $5,000,000. The maximum grant award for a lead service line inventory project will be $200,000. For drinking water, wastewater, and lead service line inventory funding, applicants may only apply for a single project within a particular grant category, but may submit separate applications for projects in different grant categories.

[1] https://www.govinfo.gov/content/pkg/FR-2022-01-27/pdf/2022-00292.pdf

For instance, a city could apply for a wastewater grant and a lead service line inventory grant, but could not apply for two separate wastewater grants.

Additionally, the scoring criteria also prioritizes drinking water, wastewater, and stormwater projects that have a completed engineering report, facility plan, or other planning document. A professional engineer or similar professional must have reviewed and/or stamped these reports no more than three years prior to the application submission date. Older reports are acceptable if the report has been updated within the last three years and has been stamped by a professional engineer.

Local Cost Share (or "local match"):
Local cost share (or "local match"), of no less than one dollar, must be provided by the applicant for a project to be eligible for state ARPA funding. Each applicant must identify the amount of local cost share it intends to contribute to the project on the grant application. The applicant is required to provide an attestation committing local funds to the project, prior to award, with the "Assurance of Local Funds" form.

The Department will provide preference, through the awarding of additional points as described within the scoring criteria, to projects for which the applicant plans to contribute a local match greater than 1 percent.

Failure to contribute the promised local cost share may result in the Department withdrawing grant funding from a project.

Eligible Applicants:
The types of entities eligible to apply for each grant program vary by grant type. Applicants should review the eligibility lists in the appendices 1 through 4 for each grant program to ensure they are eligible to apply.

Eligible Costs:
A number of different types of projects are deemed eligible for ARPA funding under the Final Rule. The Final Rule states that all projects eligible under the State Revolving Fund (SRF) program are also eligible for ARPA funding. Following are links to the Drinking Water and Clean Water SRF Eligibility Handbooks.

EPA's Drinking Water SRF Eligibility Handbook: https://www.epa.gov/sites/default/files/2019-10/documents/dwsrf_eligibility_handbook_june_13_2017_updated_508_versioni.pdf

EPA's Clean Water SRF Eligibility Handbook: https://www.epa.gov/sites/default/files/2016-07/documents/overview_of_cwsrf_eligibilities_may_2016.pdf

Applicants are strongly encouraged to review the handbooks before submitting a state ARPA grant application. Additionally, the final rule allows for several project types above and beyond those allowed by the SRF programs.

The Final Rule does place some specific restrictions on the use of ARPA funds. Specifically, an applicant cannot use ARPA funds to pay off debt service, fund judicial settlements or judgments, or replenish cash reserves. Additionally, an applicant may only use ARPA funds to pay for project costs incurred after March 03, 2021. All ARPA funds must be obligated to a project by December 31, 2024 and spent by December 31, 2026. Obligated means the applicant has entered into a signed state financial assistance agreement.

The State of Missouri will invest ARPA funds in Missouri's water infrastructure through construction grant programs for communities to address their capital infrastructure needs. Thus, certain project types allowed under the Final Rule will not be fundable through Missouri's ARPA grant programs. Generally, these not-fundable projects include projects serving individual homeowners and schools, chemical monitoring, educational programs, or projects exclusively for planning purposes that do not include construction work (with the exception of lead service line inventories). You can find specific examples of some Missouri ARPA fundable and not-fundable project types in the appendices for each grant program.

Local cost share (either cash on hand or local ARPA dollars) is required in order to submit an application for State ARPA funding. Applicants will receive priority during the scoring process based on the percent of local cost share contributed. Refer to the scoring rubrics for each funding program in appendices 1 through 4 for more information. Only cash on hand or local ARPA funds can be used as cost share for State ARPA funding. In-kind services and Federal funds* will not be accepted as cost share. Applicants will need to submit the Applicant Assurance of Local Cost Share Form with their application. Failure to commit the funds indicated on this form could result in the withdrawal of grant funding.

*The Department may consider granting an exception to allow use of Federal funds as local cost share for projects that are designed and ready to bid, and for which the federal funds have been awarded or will be within 30 days of the ARPA grant award. Such exceptions may be made at the Department's sole discretion at the time of application. Exceptions will be based on the Department's assessment of project readiness, including an estimated project schedule indicating the project completion date is prior to December 31, 2026.

Application Processing:
Applications will be accepted from May 16, 2022 to July 14, 2022. The Department will not consider applications submitted after July 14, 2022. Applicants must submit all applications through an online web portal at https://moarpa.mo.gov. The online application will include instructions throughout the form. There will not be a separate document for instructions. A sample application for each grant program for demonstration purposes only is found in the appendices. If an applicant does not have the ability to submit an online application, they may contact the Department at 573-751-1192 or at DNR.ARPA@dnr.mo.gov to discuss options.

The applicant will also be required to submit the following: Authorized Representative Form, Procurement Certification Form (not required with a lead service line inventory application), and Local Cost Share Form. The forms will be available through the online web portal and provided to applicants who do not have the ability to submit online.

Applicants are strongly encouraged to read this Notice of Funding Opportunity in its entirety, including all appendices and exhibits before completing an application.

Application scoring will begin July 15, 2022, and will conclude on or before October 12, 2022. The Department will conduct a preliminary review of all applications for completeness and will notify applicants of any missing information or documents. Failure to respond to this notification within two weeks will result in the disqualification of the application.

The Department will score applications for each of the four grant programs according to the criteria indicated for that program, found in appendices 1 through 4. The categories of scoring criteria are: affordability and financial capability, necessity of project to maintain reliable service, and engineering capability.

In the event of a tie, applicants will be evaluated first on their financial capability (excluding local cost share), then the status of their engineering report/facility plan, then on the application submission date, and finally on the size of the community.

Once scoring is complete a list of all applications and scores (including tie-breakers) will be publically posted. Applicants, successful and unsuccessful, will be listed in order according to their score. The highest scoring unsuccessful applicants will be placed on a waiting list. In the event that a successful applicant is unable to accept or complete a project, they will be bypassed and those grant funds will be made available to the applicants on the waiting list, starting with the highest scoring communities.

Though not required at the time of application, complete engineering reports, facility plans (unless exempt under 10 CSR 20-6.010(4)(B)), and stormwater planning documents must be submitted within 90 days after the submission of an application in order to be considered. Facility plans that require an anti-degradation review must have completed that process to be considered complete. Applications lacking the completed report by the deadline risk the possibility of not being considered for funding.

The Department will notify successful applicants through the online web portal shortly after the completion of the scoring period. A list of all successful applicants will be available on the online web portal.

Federal and State Requirements:
A number of federal and state laws apply to projects receiving Missouri ARPA funding through the FAC. The federal Uniform Rule at 2 CFR Part 200 applies to all ARPA funding. This includes requirements for contractor procurement, acquisition of real property, and single audit requirements, among others. In the case of capital expenditures in particular, this includes environmental and permitting laws and regulations. Uniform administrative requirements regarding procurement require applicable contract clauses required by 2 CFR 200.327, and subrecipients must follow the procurement standards in 2 CFR 200.318 through 200.327, including ensuring that the procurement method used for the contracts are appropriate based on the dollar amount and the conditions specified in 2 CFR 200.320.

In addition to federal requirements, several state requirements also apply to projects receiving state ARPA funding, including state prevailing wages and engineering procurement requirements under §§ 8.287 – 8.291, RSMo. Lead service line work is not considered an “engineering service” according to § 327.181, RSMo, so state engineering procurement requirements will not apply to this work.

Several requirements that are common to federal contracting do not apply to ARPA projects. This includes National Environmental Protection Act (NEPA) reviews and American Iron and Steel (AIS) requirements. The Final Rule encourages the use of strong labor practices, including wages at or above prevailing wage and use of contractors without recent violations, but the Davis Bacon federal prevailing wage rates are not required for projects under $10 million in cost (ARPA grant and local cost share combined). Projects in excess of $100,000 with respect to employment of mechanics and laborers must comply with the Contract Work Hours and Safety Act (29 CFR, Part 5).

Refer to the ARPA Subrecipient Terms and Conditions and Special ARPA Terms and Conditions in the exhibits for further requirements.

Other Resources:
Applicants are strongly encouraged to review the State of Missouri ARPA Frequently Asked Questions exhibit available at https://moarpa.mo.gov/faq-contact-us/.

If applicants still have questions they can contact the Financial Assistance Center at 573-751-1192 or by email at DNR.APRA@dnr.mo.gov

Appendix 1: Drinking Water ARPA Grant Guidance

Eligible Applicants:

- Incorporated Municipality
- Public Water or Sewer District (if they operate a drinking water utility)
- Quasi-Governmental Agency (e.g., irrigation, telephone, oil, gas, water, and electric companies)
- Privately Owned Utilities or Nonprofit Organizations whose sole purpose is to provide drinking water or wastewater service
- Joint Municipal Utility Commissions

Eligible Drinking Water Project Types:

- Dam and reservoir repair and restoration projects, if the primary purpose is for drinking water supply and necessary for continued supply;
- Drinking water projects to support population growth and must be a sustainable source of drinking water over its estimated useful life;
- Broad range of projects that improve drinking water infrastructure, such as building or upgrading facilities and transmission, distribution, and storage systems;
- Projects that address present or prevent future violations of health-based drinking water standards;
- Interconnecting water systems or rehabilitating existing wells in cases of natural disaster;
- Projects needed to maintain compliance with existing national primary drinking water regulations for contaminants with acute and chronic health effects;
- Projects to replace aging infrastructure;
- Treatment projects, including installation or upgrade of facilities to improve the quality of drinking water to comply with primary or secondary standards;
- Transmission and distribution projects, including installation or replacement of transmission and distribution pipes to improve water pressure to safe levels or to prevent contamination caused by leaks or breaks in the pipes;
- Source projects, including rehabilitation of public wells or development of eligible sources to replace contaminated sources;
- Storage projects, including installation or upgrade of eligible storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering a public water system; and
- System consolidation projects.
- Projects to fund private wells for residents of disbanding districts or districts no longer providing water

Ineligible Drinking Water Project Types:

- Measures to conserve and reuse water;
- Treatment projects related to point of entry;
- Creation of a new drinking water system;
- Rehabilitation of private wells and testing initiatives to identify contaminants in wells, and treatment activities and remediation strategies that address contamination in private wells;
- Lead line replacement and lead remediation, due to available lead funding through the Bipartisan Infrastructure Law;
- Water quality testing, compliance monitoring, and remediation activities in schools and other childcare facilities, as well as activities necessary to respond to a contaminant;
- Remediation activities such as replacement of faucets, internal plumbing, and fixtures in schools and childcare facilities;

- Bottled water in areas with an action level exceedance for lead in water;
- Water filtration systems for point of entry use;
- Conducting remediation, follow-up monitoring, and conducting public education and outreach about the availability of infrastructure programs, such as water testing and fixture replacement programs; and
- Drinking water development and implementation of incentive and educational programs that address and promote water conservation, source water protection, and efficiency related to infrastructure improvements.

Drinking Water Scoring Criteria

AFFORDABILITY AND FINANCIAL CAPABILITY	
Total population of project area	
Population 3,300 or less	15 points
Population of 3,301 to 7,500	10 points
Population of 7,501 to 20,000	5 points
Population > 20,000	0 points
Comparison of project area unemployment rate with state average	
Unemployment Rate > 5.6%	10 points
Unemployment Rate > 4.6% and ≤ 5.6%	5 points
Unemployment Rate ≤ 4.6%	0 points
Comparison of project area percent of households in poverty with state average	
Households in Poverty > 18.7%	10 points
Households in Poverty > 13.7% and ≤ 18.7%	5 points
Households in Poverty ≤ 13.7%	0 points
Percent of project area population with Low- and Moderate-Income (LMI)	
LMI at or above 51%	10 points
LMI below 51%	0 points
Comparison of project area Median Household Income (MHI) with state average	
MHI at or below $42,108.75	10 points
MHI above $42,108.75	0 points
Current User Rates in project area as percentage of MHI	
User Rates ≥ 2% MHI	15 points
User Rates 1.5% to < 2%	10 points
User Rates 1% to < 1.5%	5 points
User Rates < 1% MHI	0 points
Disadvantaged (MHI ≤ 75% of state MHI, User Charge ≥ 2% of MHI, & ≤ 3,300 people)	
Disadvantaged (must meet all 3 requirements)	10 points
Not Disadvantaged	0 points
Qualified Census Tract contains 50% or more of population served by the project	
Yes, 50% or more of the population served is within a Qualified Census Tract (QCT)	10 points
No, less than 50% of the population served is in a Qualified Census Tract (QCT)	0 points
System's outstanding debt	
Yes, the applicant's system has outstanding debt for the water system	5 points
No, the applicant's water system has no outstanding debt	0 points

Applicant's local share	
Local Share is > 20%	5 points
Local Share is > 10% and ≤ 20%	3 points
Local Share is > 1% and ≤ 10%	2 points
Local Share is $1 up to > 1%	0 points
PROJECT NEED	
Proposed project brings the system back into compliance or is to help comply with enforcement action	
The system is under enforcement	10 points
The system is non-compliant but not under enforcement	5 points
The project will not affect a compliance issue	0 points
Proposed improvements will treat impaired source water	
Yes, improvements will directly affect source of impairment	5 points
No, improvements will not directly affect source of impairment	0 points
Project will replace/improve infrastructure that is past its useful life/significantly deteriorated	
Yes, project directly affects deteriorated/aged infrastructure	5 points
No, project does not directly affect deteriorated/aged infrastructure	0 points
Engineering Report	
Progress has been made towards finalizing an engineering report	
Engineering report is complete	5 points
Engineering report is not complete	0 points

The following application is for demonstration purposes only. Applicants must submit all applications through the online web portal at https://moarpa.mo.gov. The online application will include the same questions.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FINANCIAL ASSISTANCE CENTER

DRINKING WATER AMERICAN RESCUE PLAN ACT (ARPA) APPLICATION

EXAMPLE ONLY

1. APPLICANT/CONTINUING AUTHORITY

☐ Incorporated Municipality ☐ Public Water or Sewer District ☐ Quasi-Governmental Agency
☐ Privately Owned Utility ☐ Nonprofit Organization ☐ Other: _____

NAME OF APPLICANT/CONTINUING AUTHORITY	PUBLIC WATER SUPPLY ID NO.	
TELEPHONE NUMBER WITH AREA CODE	FAX NUMBER WITH AREA CODE	SAM.GOV UNIQUE ENTITY INDENTIFIER
MAILING ADDRESS	EMAIL ADDRESS	
CITY	STATE / ZIP CODE + FOUR	COUNTY

2. AUTHORIZED REPRESENTATIVE/APPLICATION CONTACT

AUTHORIZED REPRESENTATIVE NAME	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE
NAME OF PERSON TO CONTACT ABOUT THIS APPLICATION (IF DIFFERENT FROM AUTHORIZED REPRESENTATIVE)	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE

OPTIONAL QUESTIONS REGARDING MILITARY SERVICE (§42.390 RSMo. 2021)

a) Have you or an immediate family member ever served in the U.S. Armed Forces? ☐ Yes ☐ No
b) If yes, would you like information about military-related services in Missouri? ☐ Yes ☐ No

3. GENERAL AND FINANCIAL INFORMATION

POPULATION (MOST CURRENT FOR EACH) Population: _____	POPULATION OF AREA TO BE SERVED (IF DIFFERENT FROM THE POPULATION OF THE ENTIRE SERVICE AREA) MEDIAN HOUSEHOLD INCOME (MHI) (PER MOST RECENT ACS DATA)

UNEMPLOYMENT RATE (PER MOST RECENT ACS DATA)	PERCENTAGE OF HOUSEHOLDS THAT MEET THE LOW-TO-MODERATE INCOME (LMI) DEFINITION (PER MOST RECENT ACS DATA)	PERCENTAGE OF HOUSEHOLDS IN POVERTY (PER MOST RECENT ACS DATA)
CURRENT MONTHLY WATER RATE (FOR 5,000 GAL) $	11-DIGIT CENSUS TRACT NUMBER(S) FOR PROJECT	SYSTEM OUTSTANDING DEBT $
IS 50% OF THE POPULATION SERVED BY THE PROJECT PART OF A QUALIFIED CENSUS TRACT? SEE LINK IN DIRECTIONS ☐ Yes ☐ No		EXISTING ANNUAL DEBT SERVICE $

4. PROJECT DESCRIPTION: DESCRIBE THE MAJOR COMPONENTS OF THE PROJECT.

Will the proposed improvements help treat impaired source water?

☐ Yes (Please provide information below describing the impaired source water and how the project will treat it.) ☐ No

Will the project address a schedule of compliance or Administrative Order on Consent? Will the project bring a non-compliant system into compliance?

☐ Yes (Please provide information below describing the current compliance issue.) ☐ No

Does the project address system reliability by replacement or improvement of infrastructure that is at or past its useful life and shows significant deterioration?

☐ Yes (Please provide information below describing the age and condition of the facility.) ☐ No

Is this a Design-Build Project? ☐ Yes ☐ No

5. ENGINEERING REPORT

Please check one of the following boxes

☐ An Engineering Report is complete and attached with this application.

☐ An Engineering Report has not been completed for this project.

Please enter the anticipated completion date for the Engineering Report. _____

6. ARCHITECTURAL AND ENGINEERING CONSULTANT

HAS THE APPLICANT PROCURED ENGINEERING SERVICES?

☐ Yes (attach procurement documentation and complete section) ☐ No (skip the rest of Section 6)

CONSULTING FIRM'S NAME		PROJECT CONSULTANT'S NAME	
MAILING ADDRESS		EMAIL ADDRESSS	
CITY	STATE	ZIP CODE + FOUR	DUNS NUMBER
TELEPHONE NUMBER WITH AREA CODE		FAX NUMBER WITH AREA CODE	

7. ESTIMATED PROJECT COST	
Date of Cost Estimate:	
Engineering (Planning and Design)	$
Engineering (Construction Phase)	$
Engineering (Inspection)	$
Land and Easements	$
Construction	$
Equipment	$
Other Costs (specify_____)	$
Contingencies (estimate 10%)	$
Total Estimated Project Costs	$
Local Cost Share*	$
ARPA Funding Request (this application only)	$

* Documentation committing other funds for cost share must be submitted with the application. See Applicant Assurance of Local Share Form.

8. Expenditure Categories: Please check the box that is most applicable to your project. Only check one.

- ☐ 5.10 Treatment
- ☐ 5.11 Transmission and Distribution
- ☐ 5.12 Transmission and Distribution: Lead Remediation
- ☐ 5.13 Source
- ☐ 5.14 Storage
- ☐ 5.15 Other Water Infrastructure

OTHER PROBLEMS ADDRESSED:

9. ESTIMATED PROJECT SCHEDULE

Milestone (attach compliance schedule, if applicable)	**Anticipated Date**
A. Engineering Report complete	
B. Engineering Plans and Specifications complete	
C. Construction start date	
D. Initiation of operation (*date the first working component is capable of being used for its intended purpose)*	
E. Project completion date	

10. RESOLUTION OF GOVERNING BODY OF APPLICANT	
☐ Attach a completed Resolution of Governing Body of Applicant form.	
11. CERTIFICATION:	
The authorized representative certifies that the information submitted in this application is true and correct to the best of their knowledge, that they are over the age of 18, authorized to sign and submit this application on behalf of the applicant, and agree to the use of electronic signature. The applicant understands that any false, fictitious, or fraudulent information, or the omission of any material fact on this application may lead to termination of a financial assistance award and other penalties. The applicant agrees, if a grant is awarded on the basis of this application, to comply with all applicable terms, conditions, and procedures of the State of Missouri, and the Missouri Department of Natural Resources; the applicable rules and regulations of the Missouri Clean Water Commission; and the terms and conditions of the grant agreement.	
SIGNATURE OF AUTHORIZED REPRESENTATIVE	DATE
12. PREPARER'S NAME AND SIGNATURE (IF APPLICABLE)	
SIGNATURE OF PREPARER	DATE
NAME AND TITLE (PRINT OR TYPE)	TELEPHONE NUMBER WITH AREA CODE

Appendix 2: Wastewater ARPA Grant Guidance

Eligible Applicants:

- Incorporated Municipality
- Public Sewer or Water District (if they operate a wastewater utility)
- Quasi-Governmental Agency (e.g., irrigation, telephone, oil, gas, water, and electric companies)
- Privately Owned Utilities or Nonprofit Organizations whose sole purpose is to provide drinking water or wastewater service
- Joint Municipal Utility Commissions

Eligible Project Types:

- Construction, repair, or replacement of a permitted[2] centralized or decentralized wastewater treatment system that treats municipal wastewater or domestic sewage;
- Measures to reduce the demand for publicly owned treatment works capacity through water conservation, efficiency, or reuse. Projects include, but are not limited to, the installation, replacement, or upgrade of water meters and gray water recycling. Equipment to reuse effluent (e.g., gray water, condensate, and wastewater effluent reuse systems);
- Measures to reduce the energy consumption needs for publicly owned treatment works. Projects may include, but are not limited to, the installation of energy efficient lighting, HVAC, process equipment, and electronic equipment and systems at publicly owned treatment works;
- Projects involving the reuse or recycling of wastewater, which includes the purchase and installation of treatment equipment, piping the effluent on the property of a private consumer, recharge transmission lines, injection wells, and equipment to reuse effluent;
- Measures to increase the security of publicly owned treatment works. Security measures for publicly owned treatment works might include, but are not limited to, fencing, security cameras/lighting, motion detectors, redundancy (systems and power), secure chemical and fuel storage, laboratory equipment, securing large sanitary sewers, and tamper-proof manholes;
- Allow a public or non-profit to apply for and administer the installation, repair, or replacement of private on-site/septic units. Projects include those that address groundwater contamination resulting from faulty units and those that would connect failing on-site systems to centralized wastewater treatment. The applicant could not administer the funds as a separate grant program and would be responsible for directly paying for the installation, repair, or replacement of the on-site units; and
- Domestic wastewater irrigation projects.

Ineligible Project Types:

- Implementation of a management program established under section 319 of the Clean Water Act (CWA);
- Development and implementation of a conservation and management plan under section 320 of the CWA;
- Development and implementation of watershed projects meeting the criteria set forth in section 122 of the CWA[3] ;
- Water audits and water conservation plans;
- Projects for plumbing fixture retrofits or replacement;

[2] National Pollutant Discharge Elimination System or Missouri State Operating Permit (not Department of Health and Senior Services or local health department permit)

[3] §1274 in 33 USC. https://www.govinfo.gov/content/pkg/USCODE-2020-title33/pdf/USCODE-2020-title33.pdf (page 393).

- Development of watershed projects;
- Planning activities, such as energy audits and optimization studies;
- Planning measures related to security, excluding vulnerability assessments and contingency/emergency response plans that are part of the project development process for a construction project;
- Individual grants for work on one private septic system including the installation, repair, or replacement of unit; and
- Clean water development and implementation of incentive and educational programs that address and promote water conservation, source water protection, and efficiency related to infrastructure improvements.

Wastewater Scoring Criteria

AFFORDABILITY AND FINANCIAL CAPABILITY	
Total population of project area	
Population 3,300 or less	15 points
Population of 3,301 to 7,500	10 points
Population of 7,501 to 20,000	5 points
Population > 20,000	0 points
Comparison of project area unemployment rate with state average	
Unemployment Rate > 5.6%	10 points
Unemployment Rate > 4.6% and ≤ 5.6%	5 points
Unemployment Rate ≤ 4.6%	0 points
Comparison of project area percent of households in poverty with state average	
Households in Poverty > 18.7%	10 points
Households in Poverty > 13.7% and ≤ 18.7%	5 points
Households in Poverty ≤ 13.7%	0 points
Percent of project area population with Low- and Moderate-Income (LMI)	
LMI at or above 51%	10 points
LMI below 51%	0 points
Comparison of project area Median Household Income (MHI) with state average	
MHI at or below $42,108.75	10 points
MHI above $42,108.75	0 points
Current User Rates in project area as percentage of MHI	
User Rates ≥ 2% MHI	15 points
User Rates 1.5% to < 2%	10 points
User Rates 1% to < 1.5%	5 points
User Rates < 1% MHI	0 points
Disadvantaged (MHI ≤ 75% of state MHI, User Charge ≥ 2% of MHI, & ≤ 3,300 people)	
Disadvantaged (must meet all 3 requirements)	10 points
Not Disadvantaged	0 points
Qualified Census Tract contains 50% or more of population served by the project	
Yes, 50% or more of the population served is within a Qualified Census Tract (QCT)	10 points
No, less than 50% of the population served is in a Qualified Census Tract (QCT)	0 points

System's outstanding debt	
Yes, the applicant's system has outstanding debt for the sewer system	5 points
No, the applicant's sewer system has no outstanding debt	0 points
Applicant's local share	
Local Share is > 20%	5 points
Local Share is > 10% and ≤ 20%	3 points
Local Share is > 1% and ≤ 10%	2 points
Local Share is $1 up to > 1%	0 points
PROJECT NEED	
The project is to meet new permit conditions or bring non-compliant infrastructure into compliance	
The system is under enforcement	10 points
The system is non-compliant but not under enforcement	5 points
The project will not affect a compliance issue	0 points
Proposed improvements likely to directly affect a source of waterbody impairment (TMDL/303d)	
Yes, improvements will directly affect source of impairment	5 points
No, improvements will not directly affect source of impairment	0 points
Project will replace/improve infrastructure that is past its useful life/significantly deteriorated	
Yes, project directly affects deteriorated/aged infrastructure	5 points
No, project does not directly affect deteriorated/aged infrastructure	0 points
Engineering Report	
Progress has been made towards finalizing an engineering report or one is not required for project	
Engineering report is complete/is not required for this project [10 CSR 20-6.010(4)(B)]	5 points
Engineering report is required and is not complete	0 points

The following application is for demonstration purposes only. Applicants must submit all applications through the online web portal at https://moarpa.mo.gov. The online application will include the same questions.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FINANCIAL ASSISTANCE CENTER

WASTEWATER AMERICAN RESCUE PLAN ACT (ARPA) APPLICATION

EXAMPLE ONLY

1. APPLICANT/CONTINUING AUTHORITY

☐ Incorporated Municipality ☐ Public Water or Sewer District ☐ Quasi-Governmental Agency
☐ Privately Owned Utility ☐ Nonprofit Organization ☐ Other: _____

NAME OF APPLICANT/CONTINUING AUTHORITY			
TELEPHONE NUMBER WITH AREA CODE	FAX NUMBER WITH AREA CODE		SAM.GOV UNIQUE ENTITY INDENTIFIER
MAILING ADDRESS		EMAIL ADDRESS	
CITY	STATE	ZIP CODE + FOUR	COUNTY

2. AUTHORIZED REPRESENTATIVE/APPLICATION CONTACT

AUTHORIZED REPRESENTATIVE NAME	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE
NAME OF PERSON TO CONTACT ABOUT THIS APPLICATION (IF DIFFERENT FROM AUTHORIZED REPRESENTATIVE)	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE

OPTIONAL QUESTIONS REGARDING MILITARY SERVICE (§42.390 RSMo. 2021)

a) Have you or an immediate family member ever served in the U.S. Armed Forces? ☐ Yes ☐ No

b) If yes, would you like information about military-related services in Missouri? ☐ Yes ☐ No

3. GENERAL AND FINANCIAL INFORMATION

POPULATION (MOST CURRENT FOR EACH) Population: _____	POPULATION OF AREA TO BE SERVED (IF DIFFERENT FROM THE POPULATION OF THE ENTIRE SERVICE AREA)
	MEDIAN HOUSEHOLD INCOME (MHI) (PER MOST RECENT ACS DATA)

UNEMPLOYMENT RATE (PER MOST RECENT ACS DATA)	PERCENTAGE OF HOUSEHOLDS THAT MEET THE LOW-TO-MODERATE INCOME (LMI) DEFINITION (PER MOST RECENT ACS DATA)	PERCENTAGE OF HOUSEHOLDS IN POVERTY (PER MOST RECENT ACS DATA)
CURRENT MONTHLY SEWER RATE (FOR 5,000 GAL) $	11-DIGIT CENSUS TRACT NUMBER(S) FOR PROJECT	SYSTEM OUTSTANDING DEBT $
IS 50% OF THE POPULATION SERVED BY THE PROJECT PART OF A QUALIFIED CENSUS TRACT? SEE LINK IN DIRECTIONS ☐ Yes ☐ No		EXISTING ANNUAL DEBT SERVICE $

4. PROJECT DESCRIPTION: DESCRIBE THE MAJOR COMPONENTS OF THE PROJECT.

Will the project allow a system to meet a new or existing permit limit?
☐ Yes (Please provide information below describing the permit limits.) ☐ No

Will the project address a schedule of compliance or Administrative Order on Consent? Will the project bring a non-compliant system into compliance?
☐ Yes (Please provide information below describing the current compliance issue.) ☐ No

Is the project likely to impact a source water impairment (TMDL or 303D List)?
☐ Yes (Please provide information below describing the specific water body and how the improvements will impact it.) ☐ No

Does the project address system reliability by replacement or improvement of infrastructure that is at or past its useful life and shows significant deterioration?
☐ Yes (Please provide information below describing the age and condition of the facility.) ☐ No

Is this a Design-Build Project? ☐ Yes ☐ No

5. ENGINEERING REPORT

Please check one of the following boxes
☐ An Engineering Report is not required for this project because it meets the criteria of 10 CSR 20-6.010(4)(B).
☐ An Engineering Report is required for this project and is complete and attached with this application.
☐ An Engineering Report is required for this project and has not been completed for this project.
Please enter the anticipated completion date for the Engineering Report. _____

6. ARCHITECTURAL AND ENGINEERING CONSULTANT

HAS THE APPLICANT PROCURED ENGINEERING SERVICES?
☐ Yes (attach procurement documentation and complete section) ☐ No (skip the rest of Section 6)

CONSULTING FIRM'S NAME		PROJECT CONSULTANT'S NAME	
MAILING ADDRESS		EMAIL ADDRESSS	
CITY	STATE	ZIP CODE + FOUR	DUNS NUMBER
TELEPHONE NUMBER WITH AREA CODE		FAX NUMBER WITH AREA CODE	

7. FACILITY INFORMATION

DOES THE APPLICANT/CONTINUING AUTHORITY OWN ITS WASTEWATER TREATMENT FACILITY AND/OR COLLECTION SYSTEM?

☐ Yes, both.
☐ Yes, only wastewater treatment facility.
☐ Yes, only collection system (i.e., applicant is a satellite system).
☐ No. Please explain: _____

LIST ALL MISSOURI STATE OPERATING PERMIT NUMBER(S) OF WATER OR WASTEWATER FACILITIES THAT ARE OR WILL BE AFFECTED BY THIS PROJECT, INCLUDING THOSE RECEIVING WASTEWATER IF THE CONTINUING AUTHORITY IS A SATELLITE SYSTEM:

MO-	MO-	MO-
MO-	MO-	MO-

8. ESTIMATED PROJECT COST

Date of Cost Estimate:

Engineering (Planning and Design)	$
Engineering (Construction Phase)	$
Engineering (Inspection)	$
Land and Easements	$
Construction	$
Equipment	$
Other Costs (specify_____)	$
Contingencies (estimate 10%)	$
Total Estimated Project Costs	$
Local Cost Share*	$
ARPA Funding Request (this application only)	$

* Documentation committing other funds for cost share must be submitted with the application. See Applicant Assurance of Local Share Form.

9. Expenditure Categories: Please check the box that is most applicable to your project. Only check one.

☐ 5.1 Centralized Wastewater Treatment
☐ 5.2 Centralized Wastewater Collection and Conveyance
☐ 5.3 Decentralized Wastewater
☐ 5.4 Combined Sewer Overflows
☐ 5.5 Other Sewer Infrastructure
☐ 5.7 Energy Conservation
☐ 5.8 Water Conservation
☐ 5.9 Nonpoint Source

OTHER PROBLEMS ADDRESSED:

10. ESTIMATED PROJECT SCHEDULE	
Milestone (attach compliance schedule, if applicable)	**Anticipated Date**
A. Antidegradation Report (any new, expanded or upgraded wastewater treatment) submitted or complete	
B. Engineering Report and Facility Plan complete	
C. Engineering Plans and Specifications complete	
D. Construction start date	
E. Initiation of operation (*date the first working component is capable of being used for its intended purpose)*	
F. Project completion date	

11. RESOLUTION OF GOVERNING BODY OF APPLICANT

☐ Attach a completed Resolution of Governing Body of Applicant form.

12. CERTIFICATION:

The authorized representative certifies that the information submitted in this application is true and correct to the best of their knowledge, that they are over the age of 18, authorized to sign and submit this application on behalf of the applicant, and agree to the use of electronic signature. The applicant understands that any false, fictitious, or fraudulent information, or the omission of any material fact on this application may lead to termination of a financial assistance award and other penalties. The applicant agrees, if a grant is awarded on the basis of this application, to comply with all applicable terms, conditions, and procedures of the State of Missouri, and the Missouri Department of Natural Resources; the applicable rules and regulations of the Missouri Clean Water Commission; and the terms and conditions of the grant agreement.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	DATE

13. PREPARER'S NAME AND SIGNATURE (IF APPLICABLE)

SIGNATURE OF PREPARER	DATE
NAME AND TITLE (PRINT OR TYPE)	TELEPHONE NUMBER WITH AREA CODE

Appendix 3: Stormwater ARPA Grant Guidance

Eligible Applicants: Only entities that manage stormwater infrastructure for a permitted MS4 or CSO system are eligible to apply for state ARPA stormwater funding.

- Incorporated Municipality
- County
- Public Sewer District

Eligible Project Types:

- Projects for Municipal Separate Storm Sewer Systems (MS4s) and Combined Sewer Overflow Systems (CSOs) to manage, reduce, treat, or recapture stormwater or subsurface drainage water for publicly and privately owned, permitted and unpermitted projects. Projects may include, but are not limited to roadside plantings, porous pavement, and rainwater harvesting;
- Projects that support stormwater system resiliency including bioretention basins that provide water storage and filtration benefits, and green streets, where vegetation, soil, and engineered systems are combined to direct and filter rainwater from impervious surfaces;
- Projects involving the reuse or recycling of stormwater;
- A broad range of stormwater infrastructure projects: such as, gray infrastructure projects (traditional pipe, storage, and treatment systems); projects that manage, reduce, treat, or recapture stormwater or subsurface drainage water, including real-time control systems for combined sewer overflow management, and sediment control; culvert infrastructure projects if they implement a nonpoint source management plan, implement National Estuary Program Comprehensive Conservation and Management Plan, or implement a stormwater management plan with the goal of providing a water quality benefit;
- Other project types are: green roofs, green streets, and green walls; rainwater harvesting collection; storage, management, and distribution systems; real-time control systems for harvested rainwater; infiltration basins; constructed wetlands, including surface flow and subsurface flow (e.g., gravel) wetlands; bioretention/bioswales (e.g., bioretention basins, tree boxes); permeable pavement; wetland, riparian, or shoreline creation, protection, and restoration; establishment or restoration of urban tree canopy; and replacement of gray infrastructure with green infrastructure including purchase and demolition costs;
- Dam removal projects and associated stream and habitat restoration projects when the removal implements either a Nonpoint Source Management Program Plan or a National Estuary Program Comprehensive Conservation and Management Plan or when the removal will provide a water quality benefit;
- Repair, replacement, or removal of culverts or other road-stream crossing infrastructure to the extent the purpose of the project is to manage stormwater;
- Road repairs and upgrades that interact directly with an eligible stormwater infrastructure project; and
- Projects to receive and distribute reclaimed water for irrigation systems or other agricultural use.

Ineligible Project Types:

- Rain barrels implemented on private property across a watershed to reduce the amount of runoff; and
- Costs for planning and design only.

Stormwater Scoring Criteria

AFFORDABILITY AND FINANCIAL CAPABILITY	
Total population of project area	
Population 5,000 or less	10 points
Population of 5,001 to 10,000	5 points
Population of 10,001 to 20,000	3 points
Population > 20,000	0 points
Comparison of project area unemployment rate with state average	
Unemployment Rate > 5.6%	10 points
Unemployment Rate > 4.6% and ≤ 5.6%	5 points
Unemployment Rate ≤ 4.6%	0 points
Comparison of project area percent households in poverty with state average	
Households in Poverty > 18.7%	10 points
Households in Poverty > 13.7% and ≤ 18.7%	5 points
Households in Poverty ≤ 13.7%	0 points
Percent of project area population with Low- and Moderate-Income (LMI)	
LMI at or above 51%	10 points
LMI below 51%	0 points
Comparison of project area Median Household Income (MHI) with state average	
MHI at or below $42,108.75	10 points
MHI above $42,108.75	0 points
Qualified Census Tract contains 50% or more of population served by the project	
Yes, 50% or more of the population served is within a Qualified Census Tract (QCT)	10 points
No, less than 50% of the population served is in a Qualified Census Tract (QCT)	0 points
System's outstanding debt	
Yes, the applicant has outstanding debt for the stormwater system	5 points
No, The applicant's stormwater system does not have outstanding debt	0 points
Applicant's local share	
Local Share is > 20%	10 points
Local Share is > 10% and ≤ 20%	5 points
Local Share is > 1% and ≤ 10%	3 points
Local Share is $1 up to > 1%	0 points
PROJECT NEED	
The project brings non-compliant infrastructure into compliance	
The system is under enforcement	10 points
The system is non-compliant but not under enforcement	5 points
The project will not affect a compliance issue	0 points
Proposed project will likely mitigate hazardous wet-weather events to improve operations and service	
Yes, improvements will likely mitigate hazardous wet-weather events	5 points
No, improvements will not mitigate hazardous wet-weather events	0 points
Engineering Assessment	
Assessment performed by an engineer or other qualified professional with an investigation and problem statement, project scope, evaluation of alternatives, cost estimate, and map(s).	
Assessment is complete	5 points
Assessment is not complete	0 points

The following application is for demonstration purposes only. Applicants must submit all applications through the online web portal at https://moarpa.mo.gov. The online application will include the same questions.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FINANCIAL ASSISTANCE CENTER

STORMWATER AMERICAN RESCUE PLAN ACT (ARPA) APPLICATION

EXAMPLE ONLY

1. APPLICANT/CONTINUING AUTHORITY

☐ Incorporated Municipality ☐ County ☐ Sewer District

NAME OF APPLICANT/CONTINUING AUTHORITY	MISSOURI OPERATING PERMIT NUMBER MO -	
TELEPHONE NUMBER WITH AREA CODE	FAX NUMBER WITH AREA CODE	SAM.GOV UNIQUE ENTITY INDENTIFIER
MAILING ADDRESS	EMAIL ADDRESS	

CITY	STATE	ZIP CODE + FOUR	COUNTY

2. AUTHORIZED REPRESENTATIVE/APPLICATION CONTACT

AUTHORIZED REPRESENTATIVE NAME	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE
NAME OF PERSON TO CONTACT ABOUT THIS APPLICATION (IF DIFFERENT FROM AUTHORIZED REPRESENTATIVE)	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE

OPTIONAL QUESTIONS REGARDING MILITARY SERVICE (§42.390 RSMo. 2021)

a) Have you or an immediate family member ever served in the U.S. Armed Forces? ☐ Yes ☐ No

b) If yes, would you like information about military-related services in Missouri? ☐ Yes ☐ No

3. GENERAL AND FINANCIAL INFORMATION

POPULATION (MOST CURRENT FOR EACH) Population: _____	POPULATION OF AREA TO BE SERVED (IF DIFFERENT FROM THE POPULATION OF THE ENTIRE SERVICE AREA) MEDIAN HOUSEHOLD INCOME (MHI) (PER MOST RECENT ACS DATA)

UNEMPLOYMENT RATE (PER MOST RECENT ACS DATA)	PERCENTAGE OF HOUSEHOLDS THAT MEET THE LOW-TO-MODERATE INCOME (LMI) DEFINITION (PER MOST RECENT ACS DATA)	PERCENTAGE OF HOUSEHOLDS IN POVERTY (PER MOST RECENT ACS DATA)
DOES THE APPLICANT HAVE A DEDICATED REPAYMENT SOURCE THAT CAN BE USED FOR STORMWATER PROJECTS? ☐ Yes ☐ No	SYSTEM OUTSTANDING DEBT (STORMWATER REALATED DEBT ONLY) $	11-DIGIT CENSUS TRACT NUMBER(S) FOR PROJECT

DOES THE APPLICANT ASSESS A FEE FOR STORMWATER SERVICE?

☐ Yes (Please describe how it is assessed.) ☐ No

IS 50% OF THE POPULATION SERVED BY THE PROJECT PART OF A QUALIFIED CENSUS TRACT? SEE LINK IN DIRECTIONS

☐ Yes ☐ No

4. PROJECT DESCRIPTION: DESCRIBE THE MAJOR COMPONENTS OF THE PROJECT.

Does the project create resiliency by mitigating hazardous wet weather events to improve operations and service?

☐ Yes (Please explain.) ☐ No

Will the project address a schedule of compliance or Administrative Order on Consent? Will the project bring a non-compliant system into compliance?

☐ Yes (Please provide information below describing the current compliance issue.) ☐ No

Has the applicant updated their Stormwater Management Plan (SWMP) to include a description of this project?

☐ Yes ☐ No

NOTE: Stormwater management plans (SWMPs) will need to be updated to reflect the work completed as part of this project. However, applicants do not need to amend their SWMP prior to applying for a state ARPA grant and these amendments are not considered during the scoring process.

Does the project tie to one of the minimum control measures (MCM)?

☐ Yes (select one or more below)

- ☐ MCM 3: Illicit Discharge Detection and Elimination
- ☐ MCM 5: Management of Post Construction Runoff
- ☐ MCM 8: Flood Control Projects
- ☐ Other, please describe _____

☐ No

Is this a Design-Build Project? ☐ Yes ☐ No

5. ENGINEERING ASSESSMENT

Please check one of the following boxes.

Does the applicant have an assessment, performed by an engineer, with an investigation and problem statement, project scope, evaluation of alternatives, cost estimate, and map(s)?

☐ Yes, it is attached with this application.

☐ No. Please enter the anticipated completion date for the engineering assessment. _____

6. ARCHITECTURAL AND ENGINEERING CONSULTANT

HAS THE APPLICANT PROCURED ENGINEERING SERVICES?

☐ Yes (attach procurement documentation and complete section) ☐ No (skip the rest of Section 6)

CONSULTING FIRM'S NAME		PROJECT CONSULTANT'S NAME	
MAILING ADDRESS		EMAIL ADDRESSS	
CITY	STATE	ZIP CODE + FOUR	DUNS NUMBER
TELEPHONE NUMBER WITH AREA CODE	FAX NUMBER WITH AREA CODE		

7. ESTIMATED PROJECT COST

Date of Cost Estimate:

Engineering (Planning and Design)	$
Engineering (Construction Phase)	$
Engineering (Inspection)	$
Land and Easements	$
Construction	$
Equipment	$
Other Costs (specify_____)	$
Contingencies (estimate 10%)	$
Total Estimated Project Costs	$
Local Cost Share*	$
ARPA Funding Request (this application only)	$

*Documentation committing other funds for cost share must be submitted with the application. See Applicant Assurance of Local Share Form.

8. Expenditure Categories: Please check the box that is most applicable to your project. Only check one.

☐ 5.6 Stormwater

☐ 5.9 Nonpoint Source

OTHER PROBLEMS ADDRESSED:

9. ESTIMATED PROJECT SCHEDULE	
Milestone (attach compliance schedule, if applicable)	**Anticipated Date**
A. Engineering Assessment	
B. Engineering Plans and Specifications complete	
C. Construction start date	
D. Initiation of operation (*date the first working component is capable of being used for its intended purpose)*	
E. Project completion date	

10. RESOLUTION OF GOVERNING BODY OF APPLICANT

☐ Attach a completed Resolution of Governing Body of Applicant form.

11. CERTIFICATION:

The authorized representative certifies that the information submitted in this application is true and correct to the best of their knowledge, that they are over the age of 18, authorized to sign and submit this application on behalf of the applicant, and agree to the use of electronic signature. The applicant understands that any false, fictitious, or fraudulent information, or the omission of any material fact on this application may lead to termination of a financial assistance award and other penalties. The applicant agrees, if a grant is awarded on the basis of this application, to comply with all applicable terms, conditions, and procedures of the State of Missouri, and the Missouri Department of Natural Resources; the applicable rules and regulations of the Missouri Clean Water Commission; and the terms and conditions of the grant agreement.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	DATE

12. PREPARER'S NAME AND SIGNATURE (IF APPLICABLE)

SIGNATURE OF PREPARER	DATE
NAME AND TITLE (PRINT OR TYPE)	TELEPHONE NUMBER WITH AREA CODE

Appendix 4: Lead Service Line Inventory ARPA Grant Guidance

Eligible Applicants:

- Incorporated Municipality
- Public Water or Sewer District (if they operate a drinking water utility)
- Quasi-Governmental Agency (e.g., irrigation, telephone, oil, gas, water, and electric companies)
- Privately Owned Utility

Inventory Guidance and Requirements:

- All water systems must use the Service Line Inventory Spreadsheet developed by the Department, which will be provided at the time of award.
- The inventory must include all service lines connected to the public water supply distribution system regardless of ownership status (e.g., where service line ownership is shared, the inventory would include both the portion of the service line owned by the water system **and** the customer-owned portion of the service line).
- The inventory must be made available for public review. Systems over 50,000 population served shall make their inventory accessible by a website. It's recommended that systems create a map of their inventories that is able to be made available for the public to review.
- A water system must report any information on lead and galvanized iron or steel that it has identified when conducting the inventory of service lines in its distribution system for the initial inventory.
- The water system should review the following sources of information to identify service line materials for the inventory. The water system may use other sources of information not listed if approved by the state.
    - All construction and plumbing codes, permits, and existing records or other documentation that indicates the service line materials used to connect structures to the distribution system.
    - All water system records, including distribution system maps and drawings, historical records on each service connection, meter installation records, historical capital improvement or master plans, and standard operating procedures.
    - All inspections and records of the distribution system that indicate the material composition of the service connections that connect a structure to the distribution system.
    - Any resource, information, or identification method provided or required by the state to asses service line materials.
- Each service line, or portion of the service line where ownership is split, must be categorized in the following manner:
    - "Lead" where the service line is made of lead.
    - "Galvanized Requiring Replacement" where a galvanized service line is or was at any time downstream of a lead service line or is currently downstream of a ''Lead Status Unknown'' service line. If the water system is unable to demonstrate that the galvanized service line was never downstream of a lead service line, it must presume there was an upstream lead service line. For the initial inventory, the Department advises the system to inventory any sources of lead including pigtails, goosenecks and lead service lines.
    - "Non-lead" where the service line is determined through an evidence based record, method, or technique not to be lead or galvanized requiring replacement. The water system will classify the actual material of the service line (i.e., plastic or copper) as an alternative to classifying it as "Non-lead."

  - "Lead Status Unknown" where the service line material is not known to be lead, galvanized requiring replacement, or a non-lead service line, such as where there is no documented evidence supporting material classification. The water system may classify the line as "Unknown" as an alternative to classifying it as "Lead Status Unknown", however, all requirements that apply to "Lead Status Unknown" service lines must also apply to those classified as "Unknown". Water systems may elect to provide more information regarding their unknown lines as long as the inventory clearly distinguishes unknown service lines from those where the material has been verified through records or inspection.
- Water systems must update the inventory based on all applicable sources described in these requirements and any lead service line replacements or service line material inspections that may have been conducted. The water system may use other sources of information if approved by the state. Water systems must submit the updated inventory to the state. The inventory updates must be reflected in the publicly accessible inventory when submitted to the state.
  - Water systems whose inventories contain only non-lead service lines (both the public water systems and private) are not required to provide inventory updates to the state or to the public. However, if in the future, such a water system finds "lead" within its system, it must prepare an updated inventory on a schedule established by the state.

Lead Service Line Inventory Scoring Criteria

AFFORDABILITY AND FINANCIAL CAPABILITY	
Total population of project area	
Population 3,300 or less	15 points
Population of 3,301 to 7,500	10 points
Population of 7,501 to 20,000	5 points
Population > 20,000	0 points
Comparison of project area unemployment rate with state average	
Unemployment Rate > 5.6%	10 points
Unemployment Rate > 4.6% and ≤ 5.6%	5 points
Unemployment Rate ≤ 4.6%	0 points
Comparison of project area percent households in poverty with state average	
Households in Poverty > 18.7%	10 points
Households in Poverty > 13.7% and ≤ 18.7%	5 points
Households in Poverty ≤ 13.7%	0 points
Percent of project area population with Low- and Moderate-Income (LMI)	
LMI at or above 51%	10 points
LMI below 51%	0 points
Comparison of project area Median Household Income (MHI) with state average	
MHI at or below $42,108.75	10 points
MHI above $42,108.75	0 points

Qualified Census Tract contains 50% or more of population served by the project	
Yes, 50% or more of the population served is within a Qualified Census Tract (QCT)	10 points
No, less than 50% of the population served is in a Qualified Census Tract (QCT)	0 points
System's outstanding debt	
Yes, the applicant's system has outstanding debt for the water system	5 points
No, the applicant's water system has no outstanding debt	0 points
Applicant's local share	
Local Share is > 20%	5 points
Local Share is > 10% and ≤ 20%	3 points
Local Share is > 1% and ≤ 10%	2 points
Local Share is $1 up to > 1%	0 points
PROJECT NEED	
Applicant has service lines that have not been replaced since 1989	
Yes, applicant has service lines that pre-date 1989	5 points
No, applicant does not have lines that pre-date 1989	0 points
Applicant has a system in place for addressing lead service lines	
Yes, applicant has a system in place	5 points
No, applicant does not have a system in place	0 points
Applicant has had Action Level/Trigger Level Exceedances for Lead over the last 5 years	
Yes, applicant has had exceedances over last 5 years	5 points
No, applicant has not had exceedances over last 5 years	0 points

The following application is for demonstration purposes only. Applicants must submit all applications through the online web portal at https://moarpa.mo.gov. The online application will include the same questions.

MISSOURI DEPARTMENT OF NATURAL RESOURCES
FINANCIAL ASSISTANCE CENTER

LEAD SERVICE LINE INVENTORY AMERICAN RESCUE PLAN ACT (ARPA) APPLICATION

EXAMPLE ONLY

1. APPLICANT/CONTINUING AUTHORITY

☐ Incorporated Municipality ☐ Public Water or Sewer District ☐ Privately Owned Utility
☐ Quasi-Governmental Agency ☐ Other: _____

NAME OF APPLICANT/CONTINUING AUTHORITY	PUBLIC WATER SUPPLY ID NO.	
TELEPHONE NUMBER WITH AREA CODE	FAX NUMBER WITH AREA CODE	SAM.GOV UNIQUE ENTITY INDENTIFIER
MAILING ADDRESS	EMAIL ADDRESS	
CITY	STATE / ZIP CODE + FOUR	COUNTY

2. AUTHORIZED REPRESENTATIVE/APPLICATION CONTACT

AUTHORIZED REPRESENTATIVE NAME	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE
NAME OF PERSON TO CONTACT ABOUT THIS APPLICATION (IF DIFFERENT FROM AUTHORIZED REPRESENTATIVE)	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER WITH AREA CODE

OPTIONAL QUESTIONS REGARDING MILITARY SERVICE (§42.390 RSMo. 2021)

a) *Have you or an immediate family member ever served in the U.S. Armed Forces?* ☐ Yes ☐ No
b) *If yes, would you like information about military-related services in Missouri?* ☐ Yes ☐ No

3. GENERAL AND FINANCIAL INFORMATION

POPULATION (MOST CURRENT FOR EACH) Population: _____	POPULATION OF AREA TO BE SERVED (IF DIFFERENT FROM THE POPULATION OF THE ENTIRE SERVICE AREA) MEDIAN HOUSEHOLD INCOME (MHI) (PER MOST RECENT ACS DATA)

UNEMPLOYMENT RATE (PER MOST RECENT ACS DATA)	PERCENTAGE OF HOUSEHOLDS THAT MEET THE LOW-TO-MODERATE INCOME (LMI) DEFINITION (PER MOST RECENT ACS DATA)	PERCENTAGE OF HOUSEHOLDS IN POVERTY (PER MOST RECENT ACS DATA)
11-DIGIT CENSUS TRACT NUMBER(S) FOR PROJECT		SYSTEM OUTSTANDING DEBT $
IS 50% OF THE POPULATION SERVED BY THE PROJECT PART OF A QUALIFIED CENSUS TRACT? SEE LINK IN DIRECTIONS ☐ Yes ☐ No		EXISTING ANNUAL DEBT SERVICE $

4. PROJECT DESCRIPTION: DESCRIBE THE MAJOR COMPONENTS OF THE PROJECT.

Does the applicant already have a policy in place for dealing with lead service lines by assisting with replacements and/or providing financial assistance for replacements?

☐ Yes (Please provide information below describing the policy) ☐ No

Were some or all of the applicant's existing service lines installed prior to 1989? ☐ Yes ☐ No

Has the applicant had action level exceedances or trigger level exceedances for lead in the last 5 years? ☐ Yes ☐ No

5. ESTIMATED PROJECT COST

Date of Cost Estimate:

Inventory Cost	$
Total Estimated Project Costs	$
Local Cost Share*	$
ARPA Funding Request (this application only)	$

* Documentation committing other funds for cost share must be submitted with the application. See Applicant Assurance of Local Share Form.

6. RESOLUTION OF GOVERNING BODY OF APPLICANT

☐ Attach a completed Resolution of Governing Body of Applicant form.

7. CERTIFICATION:

The authorized representative certifies that the information submitted in this application is true and correct to the best of their knowledge, that they are over the age of 18, authorized to sign and submit this application on behalf of the applicant, and agree to the use of electronic signature. The applicant understands that any false, fictitious, or fraudulent information, or the omission of any material fact on this application may lead to termination of a financial assistance award and other penalties. The applicant agrees, if a grant is awarded on the basis of this application, to comply with all applicable terms, conditions, and procedures of the State of Missouri, and the Missouri Department of Natural Resources; the applicable rules and regulations of the Missouri Clean Water Commission; and the terms and conditions of the grant agreement.

SIGNATURE OF AUTHORIZED REPRESENTATIVE	DATE

8. PREPARER'S NAME AND SIGNATURE (IF APPLICABLE)

SIGNATURE OF PREPARER	DATE
NAME AND TITLE (PRINT OR TYPE)	TELEPHONE NUMBER WITH AREA CODE

Appendix 5: The applicant will also be required to submit the following forms at the time of application: 1) Resolution of Governing Body of Applicant Form (Authorized Representative Form), 2) Procurement Certification Form (not required with a lead service line inventory application), and 3) Local Cost Share Form. The forms will be available through the online web portal and provided to applicants who do not have the ability to submit online.

RESOLUTION OF GOVERNING BODY OF APPLICANT
RESOLUTION NO.

(Suggested Form for Applicant use)

Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center's State ARPA Grant Programs for subaward of federal financial assistance provided to the State of Missouri by the U.S. Department of the Treasury ("Treasury") pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223-26.

WHEREAS under the terms of section 602(c) of the Act and Treasury's regulations, the State of Missouri has authorized the making of grants to authorized applicants to aid in the completion of specific public projects.

NOW, THEREFORE, be it resolved by _____
(governing body of applicant)

1. **That**_____**be and he/she is hereby authorized to execute and**
(designated official)
file an application(s) on behalf of_____
(legal name of applicant)
with the State of Missouri for grant funding to aid in the completion of: a lead service line inventory, or a drinking water, wastewater, and/or a stormwater project.

_____
(Brief description of project(s))

_____

2. **That**_____, _____
(name of authorized official) *(Title)*
is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting_____**of the**
(title of officer)
_____**, does hereby certify: That the attached resolution is a**
(legal name of applicant)
true and correct copy of the resolution adopted at a legally convened meeting of the
_____ **held on the**_____**day of**_____**,**_____**;**
(name of the governing body of applicant)
and further that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this_____**day of**_____**,**_____**.**

SEAL (If applicant has an official seal, impress here.)

_____
(signature of recording officer)

_____
(title of recording officer)

Procurement of Architectural and Engineering Services with DBE Certification Form

Project Name: _____

FAC Project No.: _____

Missouri Law (Sections 8.285 to 8.291, RSMo) requires that political subdivisions of the State, such as counties, municipalities, and water or sewer districts procuring professional design and engineering services follow a qualifications based selection process.

Federal Law (2 C.F.R. Part 200 Subpart D Procurement Standards) requires that federal funding recipients must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or sub-award. The non-federal entity's documented procurement procedures must conform to the procurement standards identified in §200.317 through 200.327.

Federal Law (40 C.F.R. Part 33) requires that federal funding recipients entering into contracts to seek and encourage bids from Disadvantaged Business Enterprises (DBEs). DBEs are for-profit small businesses with at least 51 percent ownership by socially and economically disadvantaged individuals who also control management and daily business operations.

The Missouri Department of Natural Resources' Financial Assistance Center intends applicants seeking financial assistance to use this form in documenting that proper procurement of professional design and engineering services and a good faith effort to solicit DBEs for their project has occurred.

Applicants are required to certify all of the following:

- ☐ Made a good faith effort to seek the most-qualified firm for professional services, by seekinga Request for Qualifications (RFQ) from 3-5 firms (see attached example). Allow at least 30 days for the solicitation period. Check your local phone directory, search the internet, or visit www.acecmo.org/membership/acecmo-directory/ to find engineering firms.
  - ☐ **RFQ attached**
- ☐ Evaluated the proposals or qualifications and selected a firm based on professional competency, past performance, specialized experience, and other factors deemed critical for success of the project.
- ☐ Followed the DBE six good faith efforts for procurement of engineering services**.**
- ☐ Used a documented procurement procedure consistent with State, local, and tribal laws and regulations and the standards identified in 2 C.F.R. §200.317 through 200.327.

Name and Title of Authorized Representative (Please Print or Type)

_____ _____

Signature of Authorized Representative Date

Last Revised: March 17, 2022

Applicant Assurance of Local Cost Share Form
Missouri Department of Natural Resources
Financial Assistance Center
State ARPA Grant Program

The Financial Assistance Center (FAC) has indicated that applicants to the state American Rescue Plan Act (ARPA) grant program are required to provide local cost share funds to the project and will receive preference during the application scoring process based on the percent contributed. Only cash on hand and local ARPA grant dollars will be accepted as local cost share. Other state or federal grants (USDA, CDBG, SRF, etc) or private lines of credit, will not be accepted, unless approved by the Department at the time of application. Applicants will need to indicate the amount of cost share that they are allocating to their proposed state ARPA project. Failure to provide the cost share indicated on this form toward the project will result in the withdrawal of state ARPA grant funds.

Please indicate what kind of local funds the applicant intends to contribute to the project. Check all that apply and complete the table as appropriate.

☐ Cash On-Hand

	Applicant's Information	Example
Name of Account		Water Fund
Current Account Balance	$	$750,000
Amount of Funds Allocated to Local Cost Share	$	**$250,000**

☐ Local ARPA grant funds

	Applicant's Information	Example
Name of Account		ARPA Grant Account
1st Tranche of Funding	$	$20,000
2nd Tranche of Funding (received or anticipated)	$	$20,000
Amount of Funds Allocated to Local Cost Share	$	**$36,000**

Total Amount of Local Cost Share (sum of the two tables above): $_____ Example: **$286,000**

_____ _____

Signature (Authorized Representative) Legal Name of Applicant

_____

Date

Appendix 6: Document Submittal Checklist

ARPA Document Submittal Checklist		
CHECKLIST	**SUBMITTAL TIMELINE**	
	WITH APPLICATION	**AFTER SCORING and PRIOR TO AWARD**
Application	X	
Resolution for Authorized Representative	X	
Facility Plan (if needed)	X (if completed)	
Applicant Assurance of Local Funds	X	
Certificate Regarding Debarment and Suspension Form		X
Business Entity Certification / E-Verify MOU		X
Affidavit of Work Authorization / Business Entity Certification from applicant		X
Intermunicipal Agreement (if applicable)		X-if two cities are connecting
Procurement and A/E Agreement		
---Request for Qualifications	X	
---Procurement Certification Form	X	
---Engineer's Business Entity / E-Verify MOU		X
---Engineer's Affidavit of Work Authorization		X
---AE Contract Agreement-Planning		X
---AE Contract Agreement-Design		X
---AE Contract Agreement-Construction		X
---Certificate Regarding Debarment and Suspension Form		X
Applicant Assurance of Acquisition with Respect to the Uniform Relocation Act		X
Construction Permit Application & Fee		X
Plans and Specifications (If applicable)		
---Contract 1		X
---Contract 2		X
Bid Documents		
---Affidavit of Publication		X
---Bid Tab		X
---Bid Form		X
---Recommendation of award		X
---Addenda and bidders acknowledgement		X
---MBE/WBE Utilization Form		X
---Bid Bond		X
---Affidavit of Work Authorization from Contractor		X
---Contractor's Business Entity / E-Verify MOU		
---Domestic Products Procurement Act Certification		X
Executed Construction Contract		X
Notice to Proceed		X
Affidavit of Compliance with the Prevailing Wage Law (before final payment)		X
Statement of Work Complete		X

Additional Exhibits

Exhibit 1: ARPA Subrecipient Terms and Conditions

Exhibit 2: Missouri ARPA Water Infrastructure Special Terms and Conditions

Exhibit 3: Frequently Asked Questions (FAQ) (https://moarpa.mo.gov/faq-contact-us/)

EXHIBIT 1

TERMS AND CONDITIONS FOR GRANTEE RECEIPT OF FEDERAL ARPA SFRF FUNDS

I. Use of Funds: _____ ("Grantee") understands and agrees that the funds disbursed under this grant may only be used in compliance with section 602(c) of the Social Security Act ("Act"), as added by Section 9901 of the American Rescue Plan Act ("ARPA"), Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223–26, and the U.S. Department of the Treasury ("Treasury")'s regulations implementing that section and guidance, and in compliance with all other restrictions and specifications on use set forth in or applicable through this agreement. Grantee will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project.

Period of Performance: The period of performance for this award begins on the date hereof and ends on [END DATE NO LATER THAN 12/31/26]. Grantee may use funds granted under this agreement to cover eligible costs incurred during the period of performance, but no later than [END DATE NO LATER THAN 12/31/24].

Reporting: Grantee agrees to comply with any reporting obligations established by Treasury or the State of Missouri ("State"), as it relates to this grant. Those reporting obligations shall include, without limitation, the following: reporting that is necessary for the State to comply with the Treasury's Project and Expenditure Report User Guide for State and Local Fiscal Recovery Funds, Version: 2, dated April 1, 2022 and any later versions of that publication.[1]

Maintenance of and Access to Records: Grantee shall maintain records and financial documents sufficient to evidence compliance with section 602(c) of the Act and Treasury's regulations implementing that section and guidance regarding the eligible uses of funds. Grantee shall also maintain records and financial documents: 1. sufficient for the State, with respect to Grantee's participation in this grant agreement, to evidence compliance with section 602(c) of the Act and Treasury's regulations implementing that section and guidance regarding the eligible uses of funds; and 2. necessary for the State, with respect to Grantee's participation in this grant agreement, to comply with obligations under 2 C.F.R. Part 200 and any other applicable law. For subrecipients, Grantee shall further maintain all records and financial documents necessary for: 1. Grantee to comply with obligations as a subrecipient under 2 C.F.R. Part 200; and 2. the State to comply with obligations as a pass-through entity under 2 C.F.R. Part 200. The Treasury Office of Inspector General, the Government Accountability Office, their authorized representatives, the State, or its authorized representatives, shall have the right of access to records and documents (electronic and otherwise) of Grantee in order to conduct audits or other investigations or reviews.[2]

[1] For subrecipients, in the case of an additional reporting requirement imposed by the State under 2 C.F.R. § 200.332(a)(3), this agreement shall be amended.

[2] For subrecipients, the State's right of access in this paragraph includes, but is not limited to, the right set forth at 2 C.F.R. § 200.332(a)(5) that "the pass-through entity and auditors [shall] have

Records shall be maintained by Grantee for a period of five (5) years after all funds have been expended or returned to the State, whichever is later. Wherever practicable, records should be collected, transmitted, and stored in open and machine-readable formats. Grantee's obligations under this section shall include, without limitation, maintenance of the following specified types of records and financial documents: documents that are necessary for the State to comply with the Treasury's Project and Expenditure Report User Guide for State and Local Fiscal Recovery Funds, Version: 2, dated April 1, 2022 and any later versions of that publication.[3]

Pre-award Costs: Pre-award costs, as defined at 2 C.F.R. § 200.458, may not be paid with funding from this grant.

Conflicts of Interest: For subrecipients only, Grantee understands and agrees that it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this grant. Grantee must disclose in writing to Treasury or the State, as appropriate, any potential conflict of interest affecting the granted funds in accordance with 2 C.F.R. § 200.112.

Compliance with Applicable Law and Regulations: Grantee agrees to comply with the requirements of section 602 of the Act, regulations adopted by Treasury pursuant to section 602(f) of the Act, guidance issued by Treasury regarding the foregoing, and all other restrictions and specifications set forth in or applicable through this agreement. Grantee also agrees to comply with all other applicable state and federal statutes, regulations, and executive orders, and Grantee shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this grant.

Federal regulations applicable to this grant include, without limitation, the following:

i. For subrecipients only, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this grant and subject to such exceptions as may be otherwise provided by Treasury. Excepting for-profit subrecipients, Subpart F – Audit Requirements of Uniform Guidance, implementing the Single Audit Act, shall apply to this grant;

ii. For subrecipients only, Universal Identifier and System for Award Management ("SAM"), 2 C.F.R. Part 25, pursuant to which the award term set forth at Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference;

iii. For subrecipients only, Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth at Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference;

access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this part."

[3] For subrecipients, in the case of an additional record-keeping requirement imposed by the State under 2 C.F.R. § 200.332(a)(3), this agreement shall be amended.

iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, and Treasury's implementing regulation at 31 C.F.R. Part 19, including both the requirement to comply with that part's Subpart C as a condition of participation in this transaction, and the requirement to pass the requirement to comply with that subpart to each person with whom the participant enters into a covered transaction at the next lower tier;

v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth at 2 C.F.R. Part 200, Appendix XII, is hereby incorporated by reference;

vi. For subrecipients only, Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20;

vii. For subrecipients only, New Restrictions on Lobbying, 31 C.F.R. Part 21;

viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601–4655) and implementing regulations; and

ix. Generally applicable federal environmental laws and regulations.

Federal statutes and regulations prohibiting discrimination applicable to this grant include, without limitation, the following:

i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d *et seq*.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

ii. the Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 *et seq*.) which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;

iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;

iv. the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 *et seq*.) and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and

v. For subrecipients and local governments only, Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 *et seq*.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

Remedial Actions: The State reserves the right to impose additional conditions or requirements on Grantee's receipt of this grant, as the State deems necessary or advisable, in order

to facilitate compliance with any existing or additional conditions or requirements imposed upon the State by Treasury for the State's receipt of ARPA funds. The State also reserves the right to seek recoupment or repayment of this grant in whole or in part, in the event that Treasury seeks recoupment or repayment of payments made to the State, for reasons relating to Grantee's acts or omissions respecting this grant. These reservations are expressed without limitation to any other rights the State may hold, either to impose additional conditions or requirements on Grantee's receipt of this grant or to recoup this grant in whole or in part, under this agreement or other applicable law.

Hatch Act: Grantee agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.

False Statements: Grantee understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

Publications: Any publications produced with funds from this grant must display the following language: "This product [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to State of Missouri by the U.S. Department of the Treasury."

Debts Owed State and Federal Government: Any funds paid to Grantee (1) in excess of the amount to which Grantee is finally determined to be authorized to retain under the terms of this grant; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to sections 602(e) and 603(b)(2)(D) of the Act and have not been repaid by Grantee shall constitute a debt owed by the State to the federal government. In such instance, the funds constituting the State's debt to the federal government shall also constitute Grantee's debt to the State. Debts owed by Grantee to the State must be paid promptly by Grantee. A debt owed the State by Grantee under this agreement is delinquent if it has not been paid by the date specified in the State's initial demand for payment, unless other satisfactory arrangements have been made or if Grantee knowingly or improperly retains funds that are a debt as defined in this paragraph. The State will take any actions available to it to collect such a debt, including but not limited to actions available to it under the "Remedial Actions" paragraph found in this same section (I) above. The rights of the State as expressed in this paragraph are in addition to, and do not imply the exclusion of, any other rights the State may have under applicable law to collect a debt or seek damages from Grantee.

Disclaimer: In its award of federal financial assistance to the State, Treasury provides that the United States expressly disclaims any and all responsibility or liability to the State or third persons for the actions of the State or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract or subcontract under this award. Furthermore, in its award of federal financial assistance to the State, Treasury

also states that the acceptance of this award by the State does not in any way establish an agency relationship between the United States and the State. This disclaimer applies with equal force to this grant.

Protections for Whistleblowers: For grants to subrecipients exceeding $250,000: In accordance with 41 U.S.C. § 4712, Grantee may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant. The list of persons and entities referenced in the statement above includes the following:

i. a member of Congress or a representative of a committee of Congress;

ii. an Inspector General;

iii. the Government Accountability Office;

iv. a Treasury employee responsible for contract or grant oversight or management;

v. an authorized official of the Department of Justice or other law enforcement agency;

vi. a court or grand jury;

vii. a management official or other employee of the State or Grantee who has the responsibility to investigate, discover, or address misconduct.

Grantee shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

Increasing Seat Belt Use in the United States: Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Grantee should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

Reducing Text Messaging While Driving: Pursuant to federal Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), the State hereby encourages Grantee to adopt and enforce policies that ban text messaging while driving.[4]

II. By entering into this agreement, Grantee ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation,

[4] Section I is based on requirements set forth in Treasury's Coronavirus State Fiscal Recovery Fund Award Terms and Conditions document, executed by the State on July 26, 2021.

denial of the benefits of, or subjection to discrimination under programs and activities receiving federal funds, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by Treasury Title VI regulations at 31 C.F.R. Part 22 and other pertinent executive orders such as federal Executive Order 13166; directives; circulars; policies; memoranda and/or guidance documents.

Grantee acknowledges that federal Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English Proficiency ("LEP"). Grantee understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and Treasury's implementing regulations. Accordingly, Grantee shall initiate reasonable steps, or comply with Treasury's directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Grantee understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in Grantee's programs, services, and activities.

Grantee agrees to consider the need for language services for LEP persons during development of applicable budgets and when conducting programs, services, and activities. As a resource, Treasury has published its LEP guidance at 70 FR 6067. For more information on LEP, please visit http://www.lep.gov.

Grantee acknowledges and agrees that compliance with this assurance constitutes a condition of continued receipt of federal financial assistance and is binding upon Grantee and Grantee's successors, transferees, and assignees for the period in which such assistance is provided.

Grantee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.*), as implemented by the Department of the Treasury's Title VI regulations, 31 C.F.R. Part 22, which are herein incorporated by reference and made a part of this agreement. Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d* et seq.*, as implemented by the Department of the Treasury's Title VI regulations 31 C.F.R. Part 22, and herein incorporated by reference and made a part of this agreement.*

Grantee shall cooperate in any enforcement or compliance review activities by Treasury or the State of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. That is, Grantee shall comply with information requests, on-site compliance review, and reporting requirements.

Grantee shall maintain and provide to applicants, beneficiaries, their representatives, or any other party requesting the same, information on how to file a Title VI complaint of discrimination with the State of Missouri.

Grantee shall provide to the State documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other agreements between Grantee and the administrative agency that makes any such finding. If Grantee settles a case or matter alleging such discrimination, Grantee must provide to the State documentation of the settlement. If Grantee has not been the subject of any court or administrative agency finding of discrimination, Grantee shall so state.

The United States of America has the right to seek judicial enforcement of the terms of this assurances section and nothing in this section alters or limits the federal enforcement measures that the United States may take in order to address violations of this section or applicable federal law.

Under penalty of perjury, the undersigned certifies that he/she has read and understood this section's obligations as herein described, that any information submitted in conjunction with this assurance document is accurate and complete, and that Grantee is in compliance with the aforementioned nondiscrimination requirements.

By signing this certification, the undersigned represents his or her intention, and legal authorization, to do so on behalf of Grantee.[5]

Date:

Signature of Grantee's Authorized Representative

_____

Printed Name of Authorized Representative

************THE SECTIONS BELOW APPLY ONLY TO SUBRECIPIENTS************

III. This grant to _____ ("Grantee") constitutes a subaward[6] of federal financial assistance[7] provided to the State of Missouri ("State") by the U.S. Department of

[5] Section II is based on requirements set forth in Treasury's Assurance of Compliance with Civil Rights Requirements document, executed by the State on July 26, 2021.

[6] "Subaward" is defined at 2 C.F.R. § 200.1.

[7] "Federal financial assistance" is defined at 2 C.F.R. § 200.1.

the Treasury ("Treasury") pursuant to Section 602(b) of the Social Security Act ("Act"), as added by Section 9901 of the American Rescue Plan Act ("ARPA"), Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223–26. Grantee is a subrecipient[8] and the State is a pass-through entity[9] for purposes of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards set forth at 2 C.F.R. Part 200. The following is provided to Grantee pursuant to 2 C.F.R. § 200.332(a)(1):

- Subrecipient name (which must match the name associated with its unique entity identifier): _____.
- Subrecipient's unique entity identifier: _____.
- Federal Award Identification Number (FAIN): _____.
- Federal Award Date of award to the recipient by the Federal agency: _____.
- Subaward Period of Performance Start and End Date: _____.
- Subaward Budget Period Start and End Date: _____.
- Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient: _____.
- Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation: _____.
- Total Amount of the Federal Award committed to the subrecipient by the pass-through entity: _____.
- Federal award project description: ARPA appropriated $195.3 billion for payments from the Coronavirus State Fiscal Recovery Fund ("SFRF") to states through Treasury. Act § 602(a)(3)(A), ARPA § 9901, 135 Stat. 4, 224. Those monies are for states "to mitigate the fiscal effects stemming from the public health emergency with respect to [COVID-19]." Act § 602(a)(1), ARPA § 9901, 135 Stat. 4, 223. The State has received more than $2.6 billion in ARPA SFRF funds, separate from local government allocations. In accordance with the budget passed by the Missouri legislature, the State intends that these funds be utilized for the purposes set forth in ARPA, consistent with other applicable federal law. As part of this effort, the State has elected to distribute a portion of its SFRF funding to appropriate subrecipients.

[8] "Subrecipient" is defined at 2 C.F.R. § 200.1.

[9] "Pass-through entity" is defined at 2 C.F.R. § 200.1.

- Name of Federal awarding agency: U.S. Department of Treasury.

- Name of pass-through entity: State of Missouri.

- Contact information for awarding official of pass-through entity:
  - Name: _____.
  - Phone Number: _____.
  - Email Address: _____.

- Assistance Listings number and Title (pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement): _____.

- Identification of whether the award is R & D: _____.

- Indirect cost rate for the Federal award (including if the de minimis rate is charged) per § 200.414: _____.

IV. For grants exceeding $100,000:

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 an 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, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(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, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form–LLL, "Disclosure Form to Report Lobbying," 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 subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) 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.

By signing this certification, the undersigned represents his or her intention, and legal authorization, to do so on behalf of Grantee.[10]

Date:

Signature of Grantee's Authorized Representative

Printed Name of Authorized Representative

V. In addition to the other authorities identified in this agreement, Grantee must comply with 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"). The Uniform Guidance is an extensive body of federal rules, and so will not be recited here comprehensively. However, **Grantee must perform this agreement in compliance with the entirety of the Uniform Guidance, not just the provisions discussed in this section.**[11]

Beyond its definitions and acronym identifications (Subpart A), the Uniform Guidance contains five subparts. Subpart B, "General Provisions," includes a statement of purpose (which provides a general outline of the Part), 2 C.F.R. § 200.100, a provision on conflicts of interest (*see* Section III above), 2 C.F.R. § 200.112, and a provision on mandatory disclosures, 2 C.F.R. § 200.113. Subpart D, "Post Federal Award Requirements," itself covers a range of topics. 2 C.F.R. § 200.302 requires, *inter alia*, that "financial management systems . . . must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award." *Id*. at (a). 2 C.F.R. § 200.303 requires, *inter alia*, "[e]valuat[ion] and monitor[ing]" of "compliance with statutes, regulations and the terms and conditions of Federal awards," as well as the "[t]ak[ing] [of] prompt action when instances of noncompliance are identified including noncompliance identified in audit findings." *Id*. at (c) and (d), respectively. Subpart D also includes "Property Standards." 2 C.F.R. §§ 200.310–.327. These sections address Grantee's interaction

[10] Section II is based on requirements set forth at 31 C.F.R. Part 21. Appendix A of that part sets forth this certification.

[11] 2 C.F.R. Part 200, Subpart F does not apply to for-profit entities. However, "[f]or-profit entities that receive SLFRF subawards . . . are subject to other audits as deemed necessary by authorized governmental entities, including Treasury and Treasury's [Office of Inspector General]." Treasury's *Compliance and Reporting Guidance: State and Local Fiscal Recovery Funds*, published February 28, 2022 (Version 3.0), p.12, n.7. Such other audits may be imposed by the State. *Id*. *See also* 2 C.F.R. § 200.501. For-profit subrecipients shall comply with any audit requirements imposed by the State.

with equipment and real property, as well as providing standards for procurement. 2 C.F.R. § 200.329 addresses the monitoring and reporting of program performance. Beginning at 2 C.F.R. § 200.334, Subpart D lists numerous requirements for "Record Retention and Access," which should be read in concert with the several terms and conditions of this agreement. Subpart E, "Cost Principles," begins with provisions providing a basic framework for understanding and applying the bulk of these requirements. *See* 2 C.F.R. §§ 200.400 and .401. Subpart E includes a rule on "Reasonable Costs," 2 C.F.R. § 200.404, which provides a definitional authority as well as primary factors for consideration. *Id*. This subpart also provides a considerable listing of "Selected Items of Cost," and "General Provisions" for each. 2 C.F.R. §§ 200.420–.476. Subpart F is dedicated to the topic of audits. *See* 2 C.F.R. § 200.500 *et seq*. With certain qualifications, subrecipients are subject to audit pursuant to the federal Single Audit Act and this subpart of the Uniform Guidance. *See* n.12 above, and the authorities there cited.

Exhibit 2

Special Terms and Conditions for Subrecipient
Missouri ARPA Water Infrastructure Community Grant Program
Grant Award Number:
Entity Name:

The following are special terms and conditions in addition to the federal terms and conditions for subrecipients.

I. Administrative Terms

1. **Method of Payment**. The recipient will be reimbursed by the Missouri Department of Natural Resources for all allowable expenses incurred in performing the scope of services. The recipient shall report project expenses and submit to the Department original payment requests as required per the financial assistance agreement. The form must be completed with the Department payment request amount and local cost share detailed. Payment requests must provide a breakdown of project expenses by contract line item. Payment requests must be received by the Department per the financial assistance agreement. No reimbursement will be made for expenditures prior to award unless approval for pre-award costs has been granted. No reimbursements will be made for expenditures incurred after the budget period end date unless a budget time period extension has been granted by the Department prior to the budget period end date.

    a. The recipient agrees to submit the reimbursement form along with supporting documentation no more frequently than monthly. The Department will reimburse eligible invoices proportionally to the grants percentage of the total project cost. The recipient shall be responsible for local cost share funds to pay all remaining eligible invoice amounts. In addition, the recipient is responsible for paying any ineligible costs and costs that exceed the grant award amount listed on the Financial Assistance Agreement.

    b. All payment requests must have the following certification by the authorized recipient official: By signing this report, I certify to the best of my knowledge and belief the report is true, complete and accurate and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the financial assistance agreement. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.

    c. The Department will not reimburse expenses under any contracts until the Department has reviewed and approved said contracts. The Uniform Act requires applicable contract clauses required by 2 CFR 200.327, and subrecipients must follow the procurement standards in 2 CFR 200.318 through 200.327, including ensuring that the procurement methods used for the contracts are appropriate.

d. The recipient should submit documentation through the online web portal at: https://moarpa.mo.gov.

2. **Local Cost Share Funding:** Failure by the applicant to provide 100% of the local cost share that it committed to contribute to the project, as identified in the financial assistance agreement, may cause the recipient to become ineligible to receive additional financial assistance from the Department. Failure to provide the required local cost share may also result in other enforcement remedies as stated in the federal rules found in 2 CRF Part 200 Subpart D, "Post Federal Award Requirements".

3. **Changes in Budget, Scope of Work, or Period of Performance**: The following is a non-exhaustive listing of when a recipient must request approval from the Department, in writing, to amend project budgets, scope of work, or period of performance:

   a. For any budget revision, which would result in the need for additional funds. The request must include an acceptable justification for the increase, such as materials cost increase.

   b. When contracting out, subgranting, or otherwise obtaining a third party to perform activities which are central to the purpose of the award

   c. To extend the budget or payment periods listed in the financial assistance agreement. For these extensions, the recipient must notify the Department in writing. The request must include justification for the extension request, and a revised period of performance at least 90 calendar days before the end of the period of performance specified in the financial assistance agreement.

4. **Disputes**: The recipient and the Department should attempt to resolve disagreements concerning the administration or performance of the financial assistance agreement. If an agreement cannot be reached, the Department will provide a written decision. Such decision of the Department shall be final unless a request for review is submitted to the Division Director within ten (10) business days after the decision. Such request shall include: (1) a copy of the Department's final decision; (2) a statement of the amount in dispute; (3) a brief description of the issue(s) involved; and (4) a concise statement of the objections to the final decision. A decision by the Department shall constitute final action.

5. **Termination**:

   a. Termination for Cause: The Department may terminate any financial assistance agreement, in whole or in part, at any time before the date of completion, whenever it is determined that the recipient has failed to comply with the terms and conditions of the financial assistance agreement. The Department shall promptly notify the recipient in writing of such a determination and the reasons for the termination, together with the effective date. The Department reserves the right to withhold all or a portion of agreement funds if the recipient violates any term or condition of this financial assistance agreement. Termination for cause may be considered for evaluating future applications. The recipient may object to

terminations with cause and may provide information and documentation challenging the termination.

b. Termination for Convenience: Both the Department and the recipient may terminate the financial assistance agreement, in whole or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds.

c. Financial Assistance Agreements are not transferable to any person or entity.

d. Department and recipient remain responsible for compliance with all closeout requirements.

6. **Enforcement; Remedies for Noncompliance**: If the recipient falsifies any award document or materially fails to comply with any term of this financial assistance agreement, the Department may take one or more of the following actions, as appropriate:

   a. Suspend or terminate, in whole or part, the current agreement;

   b. Disallow all or part of the cost of the activity or action not in compliance;

   c. Temporarily withhold cash payments pending the recipient's correction of the deficiency;

   d. Withhold further awards from the recipient;

   e. Order the recipient not to transfer ownership of equipment purchased with assistance money without prior Department approval; or

   f. Take other remedies that may be legally available, including cost recovery, breach of contract, and suspension or debarment.

7. The recipient agrees to ensure that all space for conferences, meetings, conventions or training funded in whole or in part with Federal funds comply with the Hotel and Motel Fire Safety Act of 1990.

8. The recipient agrees to follow the requirements set out in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6962). RCRA Section 6002 states that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in the guidelines contained in 40 CFR 247.

9. The recipient agrees that funds expended for the purposes of this subgrant must be appropriated and made available by the Missouri General Assembly for each fiscal year included within the subgrant period. Therefore, the subgrant shall automatically terminate without penalty or termination costs if such funds are not appropriated and/or granted. In the event that funds are not appropriated and/or granted for the subgrant, the subgrantee

shall not prohibit or otherwise limit DNR's right to pursue alternate solutions and remedies as deemed necessary for the conduct of state government affairs. The requirements stated in this paragraph shall apply to any amendment or the execution of any option to extend the subgrant.

II. Programmatic Terms

1. The recipient understands that the use of their work force to perform American Rescue Plan Act (ARPA) funded construction oversight is not eligible for reimbursement under Missouri's State ARPA program.

2. The recipient agrees to meet the project schedule provided with the funding application or the most recent amended schedule approved by the Department project manager unless justifiable delays occur due to unexpected circumstances. Whenever significant schedule changes occur, the recipient will provide the Department project manager with an amended schedule and an explanation for the changes.

3. In accordance with 34.057 RSMo., the recipient agrees to make prompt payment to its contractor(s) of sums due under this funding agreement and to retain only amounts as may be justified by specific circumstances and provisions of this funding agreement or the construction contract(s).

4. The recipient agrees that a manual or manuals describing the proper operation and maintenance of each system will be prepared prior to works in operation.

5. Generally Accepted Accounting Principles. The recipient shall maintain project accounts in accordance with generally accepted government accounting standards, including standards relating to the reporting of infrastructure assets.

III. Preaward

Costs incurred prior to the signing of the grant award may be reimbursed under specific circumstances.

a. The costs must fall within all general eligibility requirements that are applicable to costs incurred after grant award. This includes state and federal procurement requirements for engineering expenses.

b. Costs must be preapproved by the Department and must have been incurred after March 03, 2021.

c. Costs must be consistent with 2 CFR 200.458

Exhibit 3

Missouri Department of Natural Resources
Community Water, Wastewater, Stormwater, and Lead Service Line Inventory Grant Programs
State of Missouri American Rescue Plan Act (ARPA)
Frequently Asked Questions

I thought I applied for state ARPA grants in fall 2021. What did I respond to if that was not an application?

From October 20 – November 30, 2021, the Department invited communities to submit project descriptions and costs as part of a Request for Information (RFI) survey[1]. This was not a grant application. The Department used that survey information to describe the statewide need for water infrastructure grants. Based on the survey submissions, the demand for grant funding was approximately 10 times the amount recommended by the Governor.

When can I apply? How long will the application period be open?

The Department will accept applications from May 16, 2022 to July 14, 2022.

How will I know if I submitted a complete application?

The online application portal will not allow an entity to submit an application if all required fields are not populated.

Who are eligible applicants?

Each state ARPA grant program has a specific list of eligible applicants. Each funding program has a unique list of eligible applicants, found in the appendices of the Notice of Funding Opportunity and summarized below.

Eligible applicants for Lead Service Line Inventories, Drinking Water ARPA Grants and Wastewater ARPA Grants are: Incorporated Municipalities, Public Water or Sewer Districts (if they operate a drinking water utility), Quasi-Governmental Agencies (e.g., irrigation, telephone, oil, gas, water, and electric companies), and Joint Municipal Utility Commissions. Privately Owned Utilities or Nonprofit Organizations whose sole purpose is to provide drinking water or wastewater service are also eligible to apply for Drinking Water ARPA Grants and Wastewater ARPA Grants.

Eligible Applicants for Stormwater ARPA Grants are Incorporated Municipalities, Counties, and Public Sewer Districts.

Businesses, individuals, or households are not eligible to apply for the water infrastructure grant programs.

What are eligible project types?

[1] https://dnr.mo.gov/communications/news/department-natural-resources-seeks-information-water-infrastructure-funding-needs

Generally, capital infrastructure construction projects are eligible for the state ARPA grant programs, especially if they are eligible for the State Revolving Fund program, with the exception of the lead service line inventory projects. Please see the Notice of Funding Opportunity document for a detailed list of eligible and ineligible project types by grant program.

Is an applicant eligible for grant funding to connect another system if their treatment works is at or above the facility's design capacity?

No, an applicant must be able to document that their system has unused capacity that is sufficient to accept the additional flow from the facility or facilities to be connected, and must also be meeting permit effluent limits.

Will a community score higher for ARPA water grants if they are currently on the State Revolving Fund Intended Use Plan?

No, the state ARPA grant programs are separate from the Clean Water or Drinking Water State Revolving Funds and their associated Project Priority Lists and Intended Use Plans. A community does not need to be on the Intended Use Plan to be eligible for ARPA water grants.

Who will score the applications?

The Department will select a team of current employees, including both project managers and engineers, with experience in reviewing capital improvement projects in the fields of drinking water, wastewater, and stormwater.

How will the Department score projects?

The Department's team will score applications using the factors listed in the appendices of the Notice of Funding Opportunity document. The Department anticipates the scoring process to take up to 3 months to complete, depending on the number of applications submitted. Application scoring will begin July 15, 2022, and is expected to conclude on or before October 12, 2022.

What factors are included in the scoring sheet?

Factors include assessing affordability and financial capability, necessity of project to maintain reliable service, and engineering capability. Complete details, including factor weighting, are contained in appendices 1 through 4.

How will the census data for my project's scoring be selected?

The project area is defined as the geographic area impacted by and/or benefiting from the applicant's project within:

(a) An incorporated municipality's political boundary for non-entitlement communities or
(b) One or multiple census tracts for public water or sewer districts, counties, quasi-governmental agencies (e.g., irrigation, telephone, oil, gas, water, and electric companies), privately owned utilities, non-profit organizations, or entitlement communities. If multiple census tracts are impacted or benefit from the project, the Department will sum or average the census data as appropriate.

Non-entitlement units of local government, defined in section 603(g)(5) of the Social Security Act, as added by section 9901 of the American Rescue Plan Act of 2021, are local governments typically serving populations of less than 50,000.

Missouri's metropolitan cities/entitlement communities are Blue Springs, Cape Girardeau city, Columbia, Florissant, Independence, Jefferson City, Joplin, Kansas City, Lee's Summit, O'Fallon, Springfield, St. Joseph, St. Louis, St. Charles city, and St. Peters city.[2]

Is a local match or cost share required?

Yes, local cost share is required to be provided in order to be eligible for state funds. The preferred cost share sources are the applicant's local ARPA allocation funds or cash on hand. The higher percent of local cost share provided will earn additional points in the scoring process, which makes that project more competitive (see scoring sheet for additional information). Each applicant will be required to submit a certification, the Assurance of Local Funds form, committing those local funds to the project at the time of application. If selected for funding, that applicant will be required to provide that exact cost share as part of the grant agreement.

For example: City ABC received $200,000 in local ARPA funds. However, a needed wastewater project costs $3 million. City ABC could apply for a state ARPA grant in the amount of $2,800,000 with an Assurance of Local Funds in the amount of $200,000 from local ARPA grant money.

Are in-kind services or force account work (e.g., work by the city's own staff with our own equipment) allowed as part of our local cost share?

No. Applicants must have cash-on-hand or local ARPA funds to offer as their local cost share, not in-kind services.

The Department does not consider Federal funds*, such as State Revolving Fund loans, U.S. Department of Agriculture – Rural Development loans and Community Development Block Grants an appropriate local cost share source for ARPA grants because the cumbersome federal requirements associated with these programs will slow project progress, and will jeopardize the ability of the applicant to meet the very aggressive federal ARPA deadlines.

*The Department may consider granting an exception to allow use of Federal funds as local cost share for projects that are designed and ready to bid, and for which the federal funds have been awarded or will be within 30 days. Such exceptions may be made at the Department's sole discretion at the time of application. Exceptions will be based on the Department's assessment of project readiness, including an estimated project schedule indicating the project completion date is prior to December 31, 2026.

Will the Department give priority to communities that utilize their local ARPA allocation funding as local cost share for the state ARPA grant programs versus cash on hand?

No. Local ARPA money and cash on hand will receive the same weighting in the scoring process.

[2] https://home.treasury.gov/system/files/136/fiscalrecoveryfunds-metrocitiesfunding1-508A.pdf

What data will the Department use for assessing affordability and financial capability?

The Department utilizes the most current publicly available 5-year American Community Survey (ACS) data gathered by the U.S. Census Bureau because it is periodically updated, publicly available on the Census Bureau website (www.census.gov/programs-surveys/acs/), and is the most comprehensive source.

Does my project need to be shovel-ready to apply or be competitive?

No, a project does not need to be "shovel-ready" to be eligible to apply. However, an applicant *will* need to be confident it and its contractors are able to meet the aggressive timelines outlined in ARPA (funds must be obligated to a project by December 31, 2024 and spent by December 31, 2026). The Department's ARPA grant scoring provides additional points for project readiness (having a completed engineering report).

Is an engineering report, facility plan, or other document required?

No. However, additional prioritization points are available for projects with an engineering report or facility plan (if required). Wastewater projects must follow the design guidelines outlined in 10 CSR 20-8.110[3] and drinking water projects must follow the Minimum Design Standards for Missouri Community Water Systems[4]. For most wastewater or drinking water improvements, an engineering report or facility plan is usually required, unless the project is a:

- wastewater improvement that is exempt per 10 CSR 20-6.010(4)(B)[5],
- the drinking water project is a meter-only replacement project, or
- the project is a lead service line inventory project.

Stormwater projects must have documentation of an investigation and problem statement, project scope statement, benefit evaluation, cost estimate, and map(s) of the project area to receive additional prioritization points.

Can an applicant apply for a state ARPA grant if the proposed project does not have a completed engineering report or facility plan?

Yes. If the Department selects a project without an engineering report for grant funding, and the project scores well enough to be assigned funding, the applicant will be required to submit an acceptable engineering report or facility plan no later than October 12, 2022. If a wastewater project requires an anti-degradation review, the applicant must request that review and submit the analysis with the report or plan no later than October 12, 2022. The Department does not need to have approved the report or plan by that date.

Can I apply for a state ARPA grant to complete an engineering report, facility plan, capital improvement plan, integrated plan, or other planning activity besides a lead service line inventory?

No, the state ARPA grant programs are for capital improvements related to the construction and security of drinking water, wastewater, and stormwater systems. In addition, projects involving operation and maintenance are not allowable. The only planning activity allowed is for the lead service line inventory program.

[3] https://www.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-8.pdf, page 3
[4] https://dnr.mo.gov/document-search/minimum-design-standards-missouri-community-water-systems-pub2489
[5] https://www.sos.mo.gov/cmsimages/adrules/csr/current/10csr/10c20-6.pdf, page 4

How old can an engineering report or facility plan be and still be valid?

The Department generally accepts an engineering report or facility plan that is less than 3 years since its last update. If the costs are no longer accurate or different alternatives are considered, an update will be required. A community and their consultant would need to document any changes in a revised report or plan. For engineering reports or facility plans older than 3 years old, the Department may require updates. An update would be necessary if a report or plan does not address regulations implemented after its initial drafting.

For example: If a community completed a facility plan in July 2019, that plan would be acceptable. However, it would likely need a cost update due to recent increases in professional services and construction materials.

What is the ARPA procurement process for professional services (e.g., engineering)?

Engineering procurement will need to follow local, state, and federal requirements. Applicants must procure engineering services in accordance with state statutes found at Sections 8.285 through 8.291, RSMo. and federal rules found in 2 CRF Part 200 Subpart D[6]. Procurement of engineering services must be task-specific, which means procurement for general engineering services is not eligible.

As applicants could be in various stages of planning and design, not all will need to do a new request for qualifications (RFQs). If the RFQ for a facility plan included design and construction oversite services as part of the scope, then the applicant would not need an additional RFQ. If the RFQ was only for the development of a facility plan or engineering report, then an applicant should complete a new RFQ for design and construction oversight services. This would also apply to applicants who moved on from the engineering firm who completed their facility plan or engineering report. Applicants who have already procured design and construction oversight services with an appropriate qualification based selection (QBS) method would not need to do a new RFQ.

Does an applicant have to post an RFQ publically or may they directly solicit?

An applicant must publically advertise an RFQ[7]. Be sure to announce broadly to include disadvantaged (e.g., minor and women-owed) business enterprises in the solicitation.

What happens if an applicant did not properly procure?

There are two options. Option one; an applicant would need to re-procure per the proper procedure. The Department can provide an RFQ template and guidance, but cannot advice or participate in the process. Option two; an applicant may use its own funding (not state or local ARPA grants or local cost share obligated as part of the project) to pay for engineering services and not ask for reimbursement.

Can an applicant use the consultant they have on retainer?

No, an applicant cannot use a consultant they have on retainer, and instead must go through a new procurement process. After proper soliciting and scoring the RFQ submittals, the

[6] https://revisor.mo.gov/main/OneChapter.aspx?chapter=8 (state) & https://www.govinfo.gov/content/pkg/FR-2020-08-13/pdf/2020-17468.pdf (federal)

[7] 2 C.F.R. §200.320(b)2(i), https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.320

applicant may chose the consultant who was previously on retainer if they meet the needs outlined in the RFQ, are the most qualified, etc.

Can an applicant ask a consultant they are familiar with to help them draft the RFQ?

Yes, but that consultant may not submit a response to the RFQ.

Does the applicant need to complete engineering services procurement prior to applying for a state ARPA grant?

No, the applicant does not need to procure prior to application submittal. Applicants may choose to procure services after notification of selection for a state ARPA grant. However, the Department will require applicants who have completed procurement prior to application to provide a certification of proper procurement along with any required supporting documents at the time of state ARPA grant application.

Will the Department be reviewing and approving contracts for the ARPA-funded program?

The Department will review contracts (e.g., engineering, construction) to determine eligible project costs and compliance with program requirements. The State of Missouri will only reimburse costs based on approved contracts.

Does ARPA allow for design-build or design-bid-build delivery methods?

Federal grant rules allow design-bid-build delivery methods. Fixed price design-build contracts appear to also meet the requirements contained in 2 CRF Part 200 Subpart D[8]. The Department currently has an inquiry into U.S. Treasury to determine if progressive design-build would be allowable.

What happens if the cost of the project increases between the time of application and grant award?

The Department will only award the state ARPA grant based on the amount requested on the application up to the cap or grant monies available. Should the cost of the project increase in the interim, the applicant will be responsible for that increased cost. For this reason, the Department encourages applicants to review their engineering reports and facility plans to ensure that costs are up-to-date and any necessary contingencies are addressed in order to prevent situations like this.

Can an applicant increase their contingency from the customary 10% to 20%?

No. Contingency will remain at 10%. The Department encourages applicants to have up-to-date cost proposals that take into account the current professional services and construction markets.

Can a community apply for a State Revolving Fund (SRF) low-interest loan or a Small Borrower Loan to fund the gap between a state ARPA grant allocation and total project cost?

No. The Department recommends not comingling other funding sources (e.g., SRF, U.S. Department of Agriculture - Rural Development, Community Development Block Grant,

[8] https://www.govinfo.gov/content/pkg/FR-2020-08-13/pdf/2020-17468.pdf

etc.) with ARPA grants. Recipients must expend ARPA funds in a relatively short timeframe, and ARPA has fewer requirements in order to encourage economic stimulation. Pairing ARPA funding with another state or federal funding program would add all the requirements from that other funding source to the ARPA grants, likely resulting in increased steps, protracted timelines, and additional coordination among agencies. The added requirements of other state or federal funding programs could cause project delays that jeopardize a project's ability to meet ARPA's aggressive funding deadlines; December 31, 2024 to obligate funds, and December 31 2026 to spend all funding.

Can a community take out a private line of credit/loan or Certificate of Participation (COP) to provide local cost-share for an APRA grant?

No, since ARPA is to help communities that may not be able to afford their project through other means.

How will a grant cap work if the Department is looking to avoid comingling other funding sources with state ARPA grants?

The maximum grant award for a drinking water, wastewater, or stormwater project will be $5,000,000. The maximum grant award for a lead service line inventory project will be $200,000. The Department researched current planning, design, and construction costs as well as analyzed data from the 2021 RFI to determine a grant cap for each of the state ARPA programs. A significant amount of projects would fall under each grant cap. For those projects that do not, the Department recommends looking at phasing a project, establishing tiers of priority related to specific project components, and/or funding the remainder through local funds such as cash on hand and local ARPA allocations.

For example: The state ARPA grant cap is $5 million for the wastewater program, of which approximately 75% of applicants and their projects would be under that amount per the RFI. Should a community have a $6 million project, they may request the max $5 million state ARPA grant while offering $1 million in cost share funds in the form of their local ARPA allocation. If that same community does not have funds above the grant cap, they would need to phase or reduce the project based on priority components to fit within the grant allowances.

Can a community submit an application for multiple projects?

For drinking water, wastewater, and lead service line programs, communities can only submit one application for each individual program. However, they can submit applications for multiple programs. For instance a city could submit an application for a drinking water project and a separate application for a wastewater project, but could not submit two applications for wastewater projects. It is possible that a community could receive multiple grants.

The Department encourages applicants with multiple projects in one category to submit only the project with the highest priority or review the scoring rubric prior to submittal to self-assess the competitiveness of each application and submit the one they assess to be most competitive. If the applicant does submit multiple applications for one category, the Department will reach out to the applicant prior to scoring to determine which project is the

priority or if the applicant wishes to consolidate their projects into a single application up to the maximum grant amount.

What requirements must an applicant comply with regarding wages?

Recipients are encouraged to use strong labor standards on projects under $10 million that utilize ARPA funding (state or local). For those ARPA projects with total costs more than $10 million, the Final Rule requires applicants to pay Davis Bacon Federal Prevailing Wage Rates. State prevailing wage rate requirements apply to all public works projects over $75,000.

Do the National Environmental Protection Act (NEPA), American Iron and Steel (AIS), and Build America, Buy American Act (BABAA) requirements apply to state ARPA grant funds?

No, these are not required as part of ARPA grants. Grant recipients will be required to follow the terms and conditions of the award, which includes compliance with 2 CRF Part 200[9] and other applicable federal, state, and local laws and regulations[10].

How will the Department notify applicants of their status?

The Department will notify all applicants, successful and unsuccessful, in writing after completing the scoring process. The highest scoring unsuccessful applicants will be placed on a waiting list. If successful applicants fail to make adequate progress toward completing their project, their grant funds may be withdrawn and awarded to an applicant on the waiting list. This process is called bypass. Waiting list applicants will receive available bypass funding according to their application's score.

If approved, will an applicant receive the entire approved state ARPA grant funding upfront?

No, applicants will request reimbursement of expenses incurred through a request for reimbursement process.

Can an applicant request reimbursement for costs incurred prior to state ARPA grant awards?

Costs incurred prior to notice of a grant award may only be reimbursed if they are consistent with 2 CFR. 200.458. There are a number of requirements that will apply to these projects that will be provided to awardees once selected. No costs incurred prior to March 3, 2021 may be reimbursed.

If my community took out an interim loan to pay for planning or design of the proposed ARPA project, can we seek reimbursement for those expenses?

As stated in the previous answer, the Department recommends applicants be cautious about expenses incurred prior to the state ARPA grant award. The Department may reimburse eligible expenses incurred after March 3, 2021 consistent with 2 CFR 200.458.

[9] Uniform Grant Requirements: https://www.govinfo.gov/content/pkg/FR-2020-08-13/pdf/2020-17468.pdf

[10] Final ARPA Rule: https://www.govinfo.gov/content/pkg/FR-2022-01-27/pdf/2022-00292.pdf, page 4374 & 4431

If an applicant needs to phase a project using other funding sources such as SRF, how is that approached?

An applicant may want or need to phase a project in order to be under the state ARPA grant cap or for other reasons. The ARPA phase of a project would need to be at the point of construction contract award in order to be considered as separate from a planning or subsequent phase. However, phasing a project is not always possible. If construction phases overlap, the funding agencies may consider the two phases to be one; and therefore, the requirements from both funding sources would apply to both phases.

For example: If an applicant received state ARPA grant funding for Phase 1 that entails a drinking water plant improvement, the Department would consider that project completed when the applicant has submitted and the Department concurred with all the proper closeout certification forms. The Department could then award an SRF low-interest loan/grant package for Phase 2 to address distribution system improvements. The SRF requirements would not transfer to the Phase 1 project funded through ARPA.

What happens if an applicant is not responsive to a request for information within a reasonable time or cannot complete project milestones by the designated dates?

The Department may bypass a higher ranked project that could not be reasonably awarded grant funding by December 31, 2024, and/or completed construction by December 31, 2026, for the next lower ranked project that will meet those timeframes.

Regarding stormwater projects, does the applicant need to apply for a permit modification or change their Stormwater Management Plan (SWMP)?

The stormwater grant program is for those permitted Municipal Separate Storm Sewer (MS4) and Combined Sewer Overflow (CSO) communities that have capital improvement needs related to stormwater and not CSO separation projects. An MS4 applicant would not need to request a permit modification to capture the proposed project, but it would need to be part of the community's SWMP. If the project is not part of the SWMP, then an update would be needed within 6 months of grant award.

Who is responsible for completing the project upon grant award?

Upon grant award, the applicant is responsible for completing the project. If the applicant does not complete the project but has received grant funds for a portion of the work, the applicant must repay, to the Department, any funds disbursed.

After construction is complete, who is responsible for what has been constructed?

The applicant is responsible for any grant-funded related infrastructure.

If my project ranks low, what other funding is available?

Outside of the state ARPA grant programs, funding in the form of low-interest loans paired with grants are available through the Department's Clean Water and Drinking Water State Revolving Funds including potentially new programs and increased funding from the Infrastructure Investment and Jobs Act, otherwise known as the Bipartisan Infrastructure Law (BIL). Additionally, the U.S. Department of Agriculture's Rural Development offers low-interest loans and both they and Missouri Department of Economic Development's Community Development Block Grant offer grant programs.

If you have additional questions, contact the Department's Financial Assistance Center available online at https://dnr.mo.gov/water/business-industry-other-entities/financial-opportunities/financial-assistance-center, call 800-361-4827 or 573-751-1192, or email fac@dnr.mo.gov.

Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.

For more information

Missouri Department of Natural Resources
Financial Assistance Center
P.O. Box 176
Jefferson City, MO 65102-0176
800-361-4827 or 573-751-1192
573-751-9396 fax
https://dnr.mo.gov/water/business-industry-other-entities/financial-opportunities/financial-assistance-center