# APPLICATION INSTRUCTIONS FOR PUBLIC PRIVATE PARTNERSHIPS (P3) AND OTHER PRIVATE ENTITIES

The U.S. Environmental Protection Agency (EPA) will invite selected applicants to submit an application for Water Infrastructure Finance and Innovation Act (WIFIA) loans. This application form must be used by non-municipal entities seeking a WIFIA loan for a public private partnership, limited recourse project financing or balance sheet financing. Unsolicited applications will not be considered. Following selection, each selected applicant will be assigned a transaction team led by an underwriter. The transaction team can answer the applicant’s questions regarding the application form, its attachments, and the project review, negotiation, and closing processes.

The applicant should answer all questions in this form unless otherwise indicated as optional. Narrative answers can reference source documents by including the name of the document and relevant pages or sections and providing any referenced documents as attachments. The applicant must sign the Certification in the appropriate space and submit a scanned version of the signature pages to EPA. If the applicant anticipates a delay in one or more source documents, it should discuss the situation with its transaction team and indicate the anticipated date of submitting that document in the application. Additionally, the applicant is required to notify and submit to the EPA any updated application materials that become available during the review period. The EPA may request additional items from applicants on a case-by-case basis.

Resources regarding WIFIA program eligibility; completing a letter of interest and application; how loans are selected and closed; as well as post-close expectations are available in the [WIFIA Program Handbook](https://www.epa.gov/wifia/wifia-program-handbook). It is highly recommended to use this document as a companion when developing your letter of interest. For general information about WIFIA, consult the WIFIA website ([www.epa.gov/wifia](http://www.epa.gov/wifia)). Additional information specific to the current project selection round can be found in the [NOFA](https://www.epa.gov/wifia/wifia-funding-currently-available), and questions may be submitted to the WIFIA program office at wifia@epa.gov.

The applicant may assert a Confidential Business Information (CBI) claim covering part or all of the information submitted to the EPA as part of its letter of interest, in a manner consistent with 40 C.F.R. 2.203, 41 Fed. Reg. 36902 (Sept. 1, 1976), by placing on (or attaching to) the information a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, proprietary, or company confidential. The applicant should also state whether it desires confidential treatment until a certain date or until the occurrence of a certain event. Information covered by a business confidentiality claim will be disclosed by the EPA only to the extent and only by means of the procedures set forth under 40 C.F.R. Part 2, Subpart B. Information that is not accompanied by a business confidentiality claim when it is received by the EPA may be made available to the public by the EPA without further notice to the applicant. More information about CBI is available in the WIFIA Program Handbook and frequently asked questions (FAQ) available at http://www.epa.gov/wifia.

The applicant must submit a non-refundable application fee. The application fee is $25,000 for an application for a project serving small communities (population of not more than 25,000 people). For all other project applications, the application fee is $100,000. For further information regarding the application fee, as well as the credit processing fee which will be charged at loan closing, and any other applicable fees, please see the [WIFIA fee rule](https://www.federalregister.gov/documents/2017/06/28/2017-13438/fees-for-water-infrastructure-project-applications-under-wifia).

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**WIFIA Application Submission**

The final application submission must include:

1. Completed application form;
2. All attachments requested and referenced in this form; and
3. The application fee.

The applicant should reference the supporting document checklist provided on page 4 to ensure all needed information is provided in the application submission. Upon receipt of the application fee and materials, the EPA will provide a confirmation email.

**Application Form and Attachment Submittal:** When finished, the application form and attachments must be uploaded to EPA’s SharePoint site. To be granted access to the WIFIA SharePoint site, the applicant should email the WIFIA Underwriter assigned to the applicant with the names and emails of all staff that need access.

**Application Fee Submittal:** The applicant should use of Pay.gov to make electronic payments to EPA. In Pay.gov, the applicant can track its payments to EPA and schedule recurring or automatic payments. Although it is not mandatory to register for a user id to access and use Pay.Gov, registration is recommended to have access to all Pay.gov system functionality. To use Pay.gov, follow these instructions:

1. Access the Pay.gov system by going to <https://www.pay.gov> and search for WIFIA or click on the following hyperlink to directly launch the [WIFIA Loan Collection & Fees Form](https://www.pay.gov/public/form/start/169789225).
2. Provide the following information on your payment to ensure proper credit:
* Remitter's contact phone number
* Company/Organization Name as it appears on EPA document
* Complete address, including city, state, zip code
* Project Name
* Loan Number: this is the EPA WIFIA Loan number, NOT the remitter's number
* From the “Payment Type” drop down menu select “Application Fee (Fee01)”
* Other Description: please enter your EPA WIFIA Loan number followed by -FEE01, for example 16123DC-FEE01
1. Follow the remaining on‐screen instructions to successfully process the payment to EPA.
2. Send an email to ocfo-oc-fad-wifia@epa.gov and wifia\_portfolio@epa.gov informing that a payment has been made.

The application fee may also be paid via FEDWIRE; for questions about payments, email to ocfo-oc-fad-wifia@epa.gov and wifia\_portfolio@epa.gov. For detailed payment instructions, contact the WIFIA program.

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**Burden**

The public reporting and recordkeeping burden for this collection of information is estimated to average 200 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Regulatory Support Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

**Warning**

Falsification or misrepresentation of information or failure to file or report information required to be reported may be the basis for denial of financial assistance by the Environmental Protection Agency. Knowing and willful falsification of information required to be submitted and false statements to a Federal Agency may also subject you to criminal prosecution. See, for example, 18 U.S.C. Section 1001.

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*Additional information is available at* [*https://epa.gov/wifia*](https://epa.gov/wifia) *and by contacting* *wifia@epa.gov**.*

# **SUPPORTING DOCUMENT CHECKLIST**

Theapplicant should submit its completed application form plus all relevant supporting documents listed in the checklist as attachments.

|  |  |  |  |
| --- | --- | --- | --- |
| **Question** | **Supporting Document(s)** | **Included** | **Not Applicable** |
| **Application Fee –** *Refer to fee instructions on page 2* |  |
| **Section A: Key Applicant and Loan Information**  |  |
| **Section B: Applicant and Project Background** |  |
| 1. Organizational diagram
 | * Project-level organizational diagram
 | [ ]  | [ ]  |
| **Section C: Project Budget and Financing Plan** |  |
| 1. Project Agreements
 | * Concession / Offtake Agreement
* Supply Contracts
* Construction Contract
* O&M Contract
* Equity Support Letter
* Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 | [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ]  |
| 1. Preliminary Rating Letter
 | * Preliminary Rating Letter
 | [ ]  | [ ]  |
| 4. Financial Statements  | * Financial Statements (3 years)
 |[ ]  [ ]  |
| 5. Financial Model / Pro-Forma | * Financial Model / Pro-Forma
 |[ ]  [ ]  |
| **Section D: Technical and Environmental Review**  |  |
| 1. Project Information Spreadsheet | * Project Information Spreadsheet (see below)
 | [ ]  | [ ]  |
| 3. Maps | * Maps of entire project and project components
 | [ ]  | [ ]  |
| 4. Programmatic Environmental Assessment | * WIFIA Programmatic Environmental Assessment Questionnaire
 | [ ]  | [ ]  |
| 6. Tribal Consultation | * Supporting documentation, including list of Tribes contacted.
 | [ ]  | [ ]  |
| 10. Capital Improvement Planning Process | * Current Capital Improvement Plans
* Current Year Capital Budget
 | [ ] [ ]  | [ ] [ ]  |
| 11. System Condition | * System Master Plan
* System Condition Assessment
 | [ ] [ ]  | [ ] [ ]  |
| 12. Operations and Maintenance | Operations and Maintenance Plan | [ ]  | [ ]  |
| 9. Additional Forms | * [EPA 6600-06](https://www.epa.gov/system/files/documents/2021-08/epa_form_6600_06.pdf) – Certification Regarding Lobbying
* [SF-LLL](https://www.epa.gov/grants/sf-lll-disclosure-lobbying-activities) – Disclosure of Lobbying Activities
* [EPA 4700-4](https://www.epa.gov/sites/default/files/2014-09/documents/epa_form_4700_4.pdf) – Preaward Compliance Review Report
 | [ ] [ ] [ ]  | [ ] [ ] [ ]  |
| **Project Information Spreadsheet** |  |
| Complete Project Information Spreadsheet and indicate which of the following attachments are included for each project component:* Project Map (Tab 1, Column D)
* Technical Reports (Tab 1, Column G)
* Project Schedule Documents (Tab 2, Column H)
* Engineer’s Cost Estimate (Tab 3, Column J)
* Previously Incurred Costs (Tab 3, Column H)
* Contract Documentation (Tab 4, Column G)

Environmental Review Documentation (Tab 4, Column J) | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| **Certifications** | [ ]  |  |

# APPLICATION FORMFOR PUBLIC PRIVATE PARTNERSHIPS (P3) AND OTHER PRIVATE ENTITIES

***Provide the following information in this form. Narrative answers can reference source documents (include the name of the document and relevant pages or sections). Provide any referenced documents as attachments or links. Please refer to the*** [***WIFIA Program Handbook***](https://www.epa.gov/wifia/wifia-program-handbook) ***for support in answering these questions. If your question is not covered in the Handbook or is specific to your project, please reach out to your assigned underwriter or origination contact for pre-application assistance.***

## **Section A: Key Applicant and Loan Information**

1. Type of financing structure requested (check one):

[ ] Public Private Partnership

[ ] Limited Recourse Project Finance

[ ] Balance Sheet Finance

1. a. Legal name of prospective applicant:

b. If a different entity is proposed to enter into the WIFIA loan documents as the borrower on behalf of the applicant, provide the legal name of such entity:

1. Name of controlling sponsor (*this is the entity providing a controlling equity investment in the project and may be the same as the applicant and borrower)*
2. Project name *(for purposes of identification assign a short name to the project):*
3. Provide a brief description of the project(s) seeking financing. Limit the description to the elements included in the estimated total projects costs in Question A-9.
4. Describe the project’s or projects’ purpose(s) (including quantitative or qualitative details on public benefits the project will achieve). If the loan contains more than one project, the projects must serve a common purpose. Describe the common purpose that the projects share (i.e. addressing sanitary sewer overflows or improving drinking water quality).
5. Describe any changes to the project description or purpose since LOI submission:
6. Requested amount of the WIFIA loan (in dollars):
7. Total Eligible Project Costs
	1. Estimated total eligible project costs (in dollars):
	2. Amount by which eligible project costs have changed since the letter of interest submittal (if applicable):
8. Anticipated Closing Date and any factors driving such date:

1. Applicant Contact Information

|  |  |  |  |
| --- | --- | --- | --- |
| Team Member | Name and Title | Email | Phone Number |
| Authorized Signatory |  |  |  |
| WIFIA Point of Contact |  |  |  |
| Financial Advisor |  |  |  |
| Bond Counsel |  |  |  |
| Project Manager |  |  |  |
| Environmental Review Contact |  |  |  |
| Engineering Contact |  |  |  |
| Other  |  |  |  |
| Other |  |  |  |

1. Borrower’s Employer/Taxpayer Identification number (EIN/TIN):

1. Unique Entity Identifier (previously Dun and Bradstreet Data Universal Number) number:
2. Is the applicant registered in the System for Award Management (SAM) with an active status?
* Yes
* No

At loan closing, borrower will need to provide a PDF or JPEG screenshot that shows evidence of the SAM registration and an “active status” for the entity receiving the WIFIA loan.

## **Section B: Applicant and Project Background**

*Legal Information*

1. Provide a project-level organizational diagram as an attachment or in the box below (this is not the same as a personnel org chart). Include the major parties involved in planning, owning, financing, providing supply and/or offtake, constructing, operating and maintaining the project(s). Include the major service contractors that have been, or will be, retained for the project (e.g., architects, developers, engineers, attorneys, financial advisors and underwriters, environmental consultants). Please also disclose if there is a financial relationship between the applicant, borrower or controlling sponsor and any key project partners.



1. Disclose any current, threatened, or pending litigation involving the applicant and borrower related to permitting, public involvement, environmental irregularities, construction defects, securities fraud, conflict of interest, failure to perform under a State or Federal contract, or other charges which may reflect on the applicant’s financial position or ability to complete the project(s).

1. Please describe the status of the borrower’s ownership of the project site or right to access
2. Will the borrower engage a lender’s technical advisor for the proposed project and make the report available to WIFIA to facilitate underwriting the loan? In any case, WIFIA reserves the right to engage its own technical advisor at the borrower’s expense if circumstances require.

*Community Benefits Information*

1. If applicable, describe community outreach efforts conducted to date and planned for the project(s). Include community meetings, outreach sessions and groups contacted.
2. Describe the benefits to the community as a result of the project. Examples include but are not limited to: modernizing water infrastructure; addressing current or future compliance; removing contaminants; improving access to safe water; developing the local economy; supporting population growth; and assisting small communities.
3. Will the project assist the public sponsor in complying with applicable regulatory requirements?



If yes, describe how the project assists with regulatory compliance.

## **Section C: Project Budget and Financing Plan**

1. Provide a sources and uses of funds table for the proposed project(s). More information about eligible costs is available in the [WIFIA Program Handbook](https://www.epa.gov/wifia/wifia-resources#handbookanchor).

|  |  |
| --- | --- |
| **Sources Category** | **Estimated Dollar Value**  |
| 1. WIFIA Loan (cannot exceed 49% of eligible costs) |  |
| 2. Bonds |  |
| 3. Project Equity |  |
| 4. Borrower Cash |  |
| 5. Letters of Credit |  |
| 6. Other Private Debt |  |
| 7. Other Federal Sources (please specify) |  |
| 8. Other Non-Federal Public Sources (please specify) |  |
| **TOTAL SOURCES** |  |
| **Uses Category** | **Estimated Cost** |
| 1.  Planning (Project Information Spreadsheet, Cost Tab, Column B) |  |
| 2.  Design (Project Information Spreadsheet, Cost Tab, Column C) |  |
| 3.  Construction(Project Information Spreadsheet, Cost Tab, Column D) |  |
| 4.  Project Managementa (Project Information Spreadsheet, Cost Tab, Column F) |  |
| 5. Land Acquisition (Project Information Spreadsheet, Cost Tab, Column G) |  |
| 6.  Additional Contingency b |  |
| 7.  **Total Capital Costs** |  |
| 8. Financing Costs |  |
| 9. Other (please specify)  |  |
| **TOTAL USES** |  |

a Construction costs including construction contingency

b Costs related to the management and oversight of the project, not factored elsewhere

c Additional contingency include cost factors (separate from the construction contingency included in the estimated cost for Construction) that contribute to your total capital costs. This may include adjustments to market conditions or additional project contingency considerations.

1. Describe the financing plan, security package and proposed credit terms of the WIFIA loan. Include a description and status of the source of repayment, key supply agreements, construction contracts, guarantees, source and type of other debt and equity, sources of financing for costs overruns and requested tenor of the WIFIA loan. Attach drafts of key agreements.
2. Provide a new or recent preliminary rating letter from a nationally recognized statistical rating organization opining on the proposed WIFIA financing and describing the applicant’s ability to obtain an investment grade rating on the project’s senior obligations. An existing rating may be used in place of a preliminary rating letter if it is recent and actively maintained. The applicant should discuss using an existing rating with its transaction team prior to application submittal. Note, this application will not be deemed complete without inclusion of a preliminary rating letter.
3. For existing entities and balance sheet financings, provide the year-end audited financial statements for the borrower for past two (2) years and unaudited for the current year if available, as an attachment, and enter the file names below. For newly formed entities, contact your WIFIA underwriter to discuss appropriate documentation.
4. Attach the project’s financial model. All amounts should be expressed on a cash (year-of-expenditure) basis and should clearly show assumptions used to arrive at such estimates. A sample pro forma can be found [here](https://www.epa.gov/sites/default/files/2020-07/documents/sample_financial_pro_forma.pdf). The pro-forma should cover a sufficient period of time to understand the impact the proposed financing will have on the applicant’s balance sheet going forward. Typically, this is anywhere from 10 years to the life of the loan. The pro forma(s) should include:
	1. Details on projected revenues, operations and maintenance expense, capital expenditures and other key line items;
	2. Estimated debt service coverage on an annual basis;
	3. Timing of equity and debt disbursements and repayment schedule for all debt;
	4. Reserve accounts including debt service and handback or decommissioning costs.

## **Section D: Technical and Environmental Review**

1. Project Information Spreadsheet - Please read all instructions before completing the Project Information Spreadsheet.

To complete technical due diligence and our environmental review of the proposed project, the WIFIA program will need some specific information on each project component. We have created a “Project Information Spreadsheet” to allow you to document the necessary information for each project component. A project component is any large piece of work done under the WIFIA project. An example might be upgrading a treatment system or adding a new pump. Each individual action under those larger projects does not need to be listed separately.

Please complete the Project Information Spreadsheet with the most up to date information at the time of application submission. Instructions for each column are available at the top of every tab. Provide answers for each project component in the application using separate rows. For questions related to federal requirements, please see the [Borrower Guide to Federal Requirements](https://www.epa.gov/wifia/wifia-borrower-guide-federal-requirements).

1. Please describe the overall design, planning, and construction schedule of your project. This narrative should be at the project level and should reflect the project components listed in the Project Information Spreadsheet.
2. Please attach or provide links to project maps of the entire project and each project component. Additional maps may be provided for clarify. Maps should be labeled appropriately with relevant streets and roadways; map surroundings should be visible. Provide ArcGIS shapefiles of project components, as available. This can be the same map provided as part of the Programmatic Environmental Assessment Questionnaire below.
3. For all project components listed in the Project Information Spreadsheet that do not have a Final Environmental Impact Statement (FEIS) or Record of Decision (ROD) from another federal agency, please complete and attach the [Programmatic Environmental Assessment (PEA) Questionnaire](https://www.epa.gov/wifia/wifia-programmatic-environmental-assessment-questionnaires). If you need assistance in completing this document or have any questions, please reach out to WIFIA staff.
4. For all project components listed in the Project Information Spreadsheet that have other federal or SRF involvement, please complete the table below to indicate whether a NEPA review has begun **prior** to the application for this WIFIA loan. Indicate if the NEPA review is **Completed**, In **Progress**, or **Not Begun**. This may include projects excluded from Question 4, as well as other projects subject to NEPA reviews.

|  |  |  |  |
| --- | --- | --- | --- |
| **Project Component** | **NEPA Status** | **NEPA Agency (SRF, BOR, USACE, etc.)** | **NEPA Agency Contact Information** |
|   |   |   |   |
|   |   |   |   |
|   |   |   |   |
|   |   |   |   |
|   |   |   |  |

1. All projects receiving federal funding are required to comply with federal requirements, including American Iron and Steel / Build America, Buy America Act and the Davis-Bacon Act among others (for more information, consult the [WIFIA Borrowers Guide](https://www.epa.gov/sites/default/files/2021-03/documents/wifia_borrower_guide_to_federal_requirements.pdf) to Federal Requirements). Have any construction or ground disturbing activities begun on any portion of the project(s)? If so, identify the project component, the work that has been completed to date, and how federal requirements have been met for this work.
2. Has any Tribal consultation or coordination taken place on the proposed project(s)? If yes, include supporting documentation as attachments, including a list of all Tribes contacted.
3. Confirm whether the project(s) include acquisition of real property. Note that the borrower must comply with the [Uniform Relocation Assistance and Real Property Acquisition Policies Act](https://www.fhwa.dot.gov/real_estate/uniform_act/acquisition/real_property.cfm) (Uniform Act).
	* Yes
	* No
4. Does the project involve a new or relocated discharge of effluent to surface or groundwater? For purposes of this question, relocated discharge refers to discharge of effluent into a different water body or the discharge to the same receiving water body at a different location.
	1. Yes
	2. No
5. Will the project assist in complying with applicable regulatory requirements?
* Yes
* No

If yes, describe how the project assists with regulatory compliance.

1. Please describe the significant facilities (e.g. pump stations or treatment plants) within your system and their condition, including construction and major rehabilitation dates. You may attach a condition assessment report, master plan, or similar to support your discussion.
2. Provide your current year capital budget and describe your capital improvement planning process. Include any additional risk analysis (technical and/or financial) used to inform this process.
3. Provide the operations and maintenance plan that will be used for the project. This can be an overall system plan if appropriate. If the plan is currently under development, please indicate when it is expected to be completed.
4. Additional forms will need to be completed and submitted prior to closing the WIFIA loan. All forms are available at https://www.epa.gov/grants/epa-grantee-forms. Check all that are included with the application:

|  |  |  |  |
| --- | --- | --- | --- |
| Form Number | Purpose | Included | Not Applicable |
| [EPA 6600-06](https://www.epa.gov/system/files/documents/2021-08/epa_form_6600_06.pdf) | Certification Regarding Lobbying |  |  |
| [SF-LLL](https://www.epa.gov/grants/sf-lll-disclosure-lobbying-activities) | Disclosure of Lobbying Activities |  |  |
| [EPA 4700-4](https://www.epa.gov/sites/default/files/2014-09/documents/epa_form_4700_4.pdf) | Preaward Compliance Review Report |  |  |

# **CERTIFICATIONS**

1. *National Environmental Policy Act:* The applicant acknowledges that any project receiving credit assistance under this program must comply with all provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
2. *American Iron and Steel:* The applicant acknowledges that any project receiving credit assistance under this program for the construction, alteration, maintenance, or repair of a project may only use iron and steel products produced in the United States and must comply with all applicable guidance.
3. *Buy America Preference*: The prospective borrower acknowledges that any project receiving credit assistance under this program for the construction, alteration, maintenance, or repair of a project may only use domestic iron/steel, manufactured produces and construction materials produced or manufactured in the United States and must comply with all applicable guidance.
4. *National Historic Preservation Act:* The applicant acknowledges that any project receiving credit assistance under this program must comply with all provisions of the National Historic Preservation Act as amended (54 U.S.C. Sections 300101, et seq.).
5. *Endangered Species Act:*  The applicant acknowledges that any project receiving credit assistance under this program must comply with all provisions of the Endangered Species Act (16 U.S.C. Sections 1531, et seq.).
6. *Prevailing Wages*: The applicant acknowledges that all laborers and mechanics employed by contractors or subcontractors on projects receiving credit assistance under this program shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor, in accordance with sections 3141-3144, 3146, and 3147 of Title 40 (Davis-Bacon wage rules).
7. *Credit Ratings:* This applicant has received a preliminary rating opinion letter(s) on the project’s senior debt instrument (which may be the WIFIA credit assistance), from one or more rating agencies, indicating the potential to achieve an investment-grade rating. These letters or ratings are attached.
8. *Credit Processing Fees:* The undersigned certifies that it will reimburse the EPA for any and all fees and expenses incurred by the EPA (including legal, financial and other consultant fees and expenses) in connection with the evaluation of the application materials, and the preparation, negotiation, and closing of the credit agreement and related documents, irrespective of whether the credit agreement is executed.
9. *Lobbying:* Section 1352 of Title 31, United States Code provides that none of the funds appropriated by any Act of Congress may be expended by a recipient of a contract, grant, loan, or cooperative agreement to pay any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, or an employee of a Member of Congress in connection with the award or making of a Federal contract, grant, loan, or cooperative agreement or the modification thereof. The EPA interprets this provision to include the use of appropriated funds to influence or attempt to influence the selection for assistance under the WIFIA program.

WIFIA applicants must file a declaration: (a) with the submission of an application for WIFIA credit assistance; (b) upon receipt of WIFIA credit assistance (unless the information contained in the declaration accompanying the WIFIA application has not materially changed); and (c) at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the information contained in any declaration previously filed in connection with the WIFIA credit assistance.

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 applicant, 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 applicant 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.

1. *Debarment:* The undersigned further certifies that the applicant has fully complied with its verification obligations under 2 C.F.R. Part 180 and confirms that, to its knowledge, neither applicant nor any of its principals (as defined in 2 C.F.R. Part 180.995 and Part 1532.995)
2. is debarred, suspended or voluntarily excluded from participating in any Federal programs, Government contracts, procurement or non-procurement matters;
3. is present indicted for or otherwise criminally or civilly charged by a governmental authority with commission of any of the offenses listed in the Regulations Governing Debarment and Suspension (Governmentwide Nonprocurement Debarment and Suspension Regulations: 2 C.F.R. Part 180 and Part 1532); or
4. has, within the three (3) year period preceding the date of the application,
	1. has been convicted for or had a civil judgment rendered against the applicant for any of the above-mentioned offenses within such period or
	2. had any public transactions (Federal, state, or local) terminated for cause or default.
5. *Default/Delinquency:* The undersigned further certifies that neither the applicant nor any of its subsidiaries or affiliates are currently in default or delinquent on any debt or loans provided or guaranteed by the Federal Government.
6. *Other Federal Requirements*: The applicant acknowledges that it must comply with all other federal statutes and regulations, as applicable. A non-exhaustive list of federal cross-cutting statutes and regulations can be found at https://www.epa.gov/wifia/wifia-federal-compliance-requirements.
7. *Signature:* By submitting this application, the undersigned certifies on behalf of the applicant that the facts stated and the certifications and representations made in this application are true, to the best of the applicant’s knowledge and belief after due inquiry, and that the applicant has not omitted any material facts. The undersigned is an authorized representative of the applicant.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Organization: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Street Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City/State/Zip: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

E-mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_