# KENTUCKY INFRASTRUCTURE AUTHORITY

**CLEANER WATER PROGRAM – PROJECT IMPLEMENTATION GUIDE**

## Re: CWP GRANT CONDITIONS – COMPLIANCE FORMS & EXHIBITS

This guide sets out the typical order of events or steps required to implement your Cleaner Water Program Project. Each action required and the person or entity required to take that action is listed.

The required documentation is included in your Conditional Commitment Letter Packet as a required exhibit. These exhibits provide evidence to KIA of your compliance with the terms and conditions set out in the Conditional Commitment Letter and in the Grant Assistance Agreement relating to your Project.

When returning documents and exhibits to KIA, please send each as a distinct pdf file – with the document name or exhibit number in the file name itself, as: Exhibit 1 Notification, Exhibit 2 Grantee Vendor Number, etc. together with the Grant Number (22CW\_ \_ \_ \_).

Please remember -- all activity relating to your project implementation must be done in compliance with the appropriate federal and state legislation relating to infrastructure projects. In some instances, the appropriate Kentucky Revised Statute is cited in this guide for your convenience.

**Note: a template for each exhibit is found in Attachment C of your Conditional Commitment Letter** packet and the proper sequence of each Exhibit is cited below for convenience. Additional resource information is found at [https://kia.ky.gov](https://kia.ky.gov/) under the Financial Assistance tab, under the dropdown box Cleaner Water Program Forms.

(<https://kia.ky.gov/FinancialAssistance/Pages/Cleaner-Water-Grant-Forms.aspx> )

Project implementation is best accomplished through the coordinated activity of the:

GRANTEE – the elected or appointed public body, such as a county fiscal court, a water district or sanitation district, a city government, a city utility commission, a metropolitan sewer district, a joint sewer agency, or a water association. This entity was awarded an amount of CWP funds for a water or sewer project to benefit citizens in their service area.

AUTHORIZED OFFICIAL – an individual specifically designated by the Grantee to sign documents and take other official actions for and on behalf of the Grantee specifically related to the implementation of the CWP Project

PROJECT ADMINISTRATOR – a qualified individual specifically engaged by the Grantee’s Authorized Official to oversee and expedite completion of the administrative tasks and duties of the Project as well as to be principal contact with KIA relating to the Grantee’s CWP Project.

ENGINEER – an engineer licensed in Kentucky properly procured by the Grantee to assist with initial project planning, as well as to provide engineering design and development of construction plans and specifications including project bidding and oversight of construction contracting services between the Grantee and the selected construction contractor. (Construction inspection services may or may not be provided by the Project design Engineer, as determined by the Grantee.)

## Project Steps & Exhibits

Step 1: KIA – emails the Conditional Commitment Letter, containing all grant terms and conditions to the Grantee.

Step 2: KIA – Sends summary project information to the Capital Projects and Bond Oversight Committee (CPBOC) for legislative approval.

Step 3: GRANTEE - working with its PROJECT ADMINISTRATOR, works to complete the following exhibits:

Exhibit 1: Notification to the KIA of completed Review / Update of Project Profile Exhibit 2: Confirmation of Grantee Vendor Number – via Kentucky Finance Cabinet

Application

Exhibit 3: Copy of the Transparency Act Reporting Information Form Step 4: GRANTEE - signs the Conditional Commitment Letter.

Step 5: The PROJECT ADMINISTRATOR (or the GRANTEE) emails to KIA the signed Conditional Commitment Letter and completed Exhibits 1, 2, and 3. Please only send the signed page of Exhibit 1 (not the WRIS Project Profile).

Step 6: KIA - Upon review and verification of the returned Conditional Commitment Letter, completed Exhibits 1-3, and CPBOC approval KIA will email the unsigned Grant Assistance Agreement to the Grantee.

Step 7: GRANTEE - at a regular or special meeting of the Grantee’s legal body, the Grantee adopts Exhibit 4 and completes Exhibit 5. The individual designated at this meeting to serve as the “Authorized Official” signs the Assistance Agreement.

Step 8: The PROJECT ADMINISTRATOR (or the GRANTEE) emails the Agreement and completed Exhibits 4 and 5 to KIA.

Exhibit 4 Grantee Resolution (Accepting Grant, Approving Agreement, Amending Budget, Designating an Authorized Official and a Project Administrator.

Exhibit 5 Opinion of Legal Counsel Relating to the Grantee Resolution

Note A: All CWP Projects require proper procurement of goods, materials and professional services. Kentucky Revised Statutes (KRS) 45A requires public advertisement if goods or services cost is greater than $30,000. If cost is less than this amount, three (3) written price quotes must be obtained and reviewed. The award is made to the lowest and best bid or quotation. Full documentation of all procurement related activities must be maintained on file for KIA compliance and audit purposes.

Note B: Some forms may not be needed. If a form includes a check-box, please check the box that most closely describes your projects. If you have questions, please email your KIA grant administrator.

For those projects that require services of an engineer licensed in Kentucky and the engineer is not a member of the Grantee’s staff:

Step 9: GRANTEE - work with its PROJECT ADMINISTRATOR to properly procure the services of an engineer licensed in Kentucky in accordance with KRS 45A.730 to 750. The PROJECT ADMINISTRATOR will forward Exhibit 6 and all related documentation of this qualifications-based procurement process to KIA.

Exhibit 6 A) Copy of the Engineering Services Contract; and

B) Grantee & Engineer Fee Confirmation

Step 10: PROJECT ADMINISTRATOR submits the Project to the Kentucky eClearinghouse for its review. Upon its receipt, the PROJECT ADMINISTRATOR emails the eClearinghouse Endorsement Letter and related comments to KIA as Exhibit 7.

Exhibit 7 Copy of the Kentucky eClearinghouse Endorsement Letter with Comments.

<https://eclearinghouse.ky.gov> (Questions? 800-346-5606)

Step 12: KIA will sign the Assistance Agreement and provide a copy of the fully executed Agreement to the GRANTEE

Note C: After all project funding is in place, the ENGINEER has submitted completed Project design plans and specifications to the Kentucky Division of Water for review, and all funding related documentation has been provided to KIA, the GRANTEE may request KIA to disburse up to 50% of the engineering design fee as budgeted in the Project Profile.

Step 13: KIA may prepare the and email to the GRANTEE the Grant Draw Workbook, to be used by the PROJECT ADMINISTRATOR when seeking funding draws in the course of Project implementation. If all required exhibits to this point are in place and a draw request has been made, KIA may proceed to release the partial engineering fee amount to the Grantee.

Step 14: PROJECT ADMINISTRATOR forwards a copy of the Kentucky Division of Water’s Plans and Specifications Approval Letter to KIA; and, if warranted, the GRANTEE may then request a draw down of the balance of the engineering design fee from KIA.

Exhibit 8 Copy of the Kentucky Division of Water Approval Letter of the Engineering.

Plans & Specifications for the Project

Step 15: ENGINEER, after bidding and award of construction contract, signs and provides to the PROJECT ADMINISTRATOR a full bid package, including an affidavit of publication, a tear sheet of the advertisement, bid tabs, contractor selection recommendation and performance bond documents.

GRANTEE AND TITLE ATTORNEY, sign and provide copies of all Clear Site Certificates to the PROJECT ADMINISTRATOR, who forwards Exhibit 9, 9A, and 9B to KIA.

Exhibit 9 Copy of the bid package signed by Engineer, and Clear Site Certificates sign by (9A) Authorized Official, and (9B) Title Attorney, as appropriate.

Step 16. AUTHORIZED OFFICIAL - signs the Utility Accounting Certification and emails it to KIA.

Exhibit 10 Certification Regarding Utility Accounting, Cost-Based Rates and Auditing.

Step 17: GRANTEE, ENGINEER and PROJECT ADMINISTRATOR, once all outstanding fiscal obligations associated with the Project Budget and the Project related services of the Engineer and of the Project Administrator are completed, all parties must execute the Certificate and forward a copy to KIA.

Exhibit 11 Certificate of Project Completion.