

STATE CAPITAL IMPROVEMENTS PROGRAM

PROGRAM YEAR 2010 APPLICANT MANUAL

DISTRICT ONE PUBLIC WORKS INTEGRATING COMMITTEE

Commissioner Timothy Hagan
Mr. Robert C. Klaiber, Jr., P.E., P.S., Chair
Mayor John Licastro
Mr. J. Christopher Nielson
Mayor Susan Renda
Mr. Stanley Trupo
Ms. Jomarie Wasik

Revised: September 24, 2009

INTRODUCTION

In 1987, State of Ohio voters approved a constitutional amendment authorizing the state to sell bonds and other obligations for capital infrastructure projects. The program is called the State Capital Improvement Program (SCIP).

In 1995 and 2005, Ohio voters renewed the SCIP Program for another ten years. The State may issue up to \$120 million through Program Year 25 and then \$150 million in Program Years 26 through 30. SCIP is administered by the Ohio Public Works Commission (OPWC) in Columbus, Ohio.

The District One Public Works Integrating Committee (DOPWIC) is one of nineteen district integrating committees set up to administer the SCIP throughout the state. The DOPWIC's district encompasses Cuyahoga County and all of its cities, villages and townships.

This Applicant Manual explains the process, policies and requirements that will guide the DOPWIC in its selection of project for funding. The key considerations of the DOPWIC in selecting infrastructure projects are:

- Preserving the functional integrity and maintaining the present capacity of the existing infrastructure of the County;
- Improving public health and safety;
- Enhancing economic development and the quality of life; and
- Encouraging the balanced use of available financial assistance.

PROGRAM YEAR 2010 APPLICATION MANUAL

Section One:	Application Guidelines
Section Two:	General Program Information
Section Three:	Project Selection Process
Section Four:	Evaluation Process
Section Five:	Program Policies and Requirements
Section Six:	Financial Assistance Terms and Conditions

Revisions: September 11, 2009

Page 4: Text should read: Projects completed by the applicant for the period **January 2008 – December 2009** and planned projects to be completed during the next five years **(2010-2014)**.

Page 39: Access to Funds Points has been corrected.

SECTION ONE

APPLICATION GUIDELINES

APPLICATION GUIDELINES

APPLICATION DUE DATE

To be considered for financial assistance, applications must be submitted by:

4:30 p.m., Friday, September 25, 2009 to the
District One Public Works Integrating Committee
c/o Cuyahoga County Planning Commission
323 Lakeside Avenue West, Suite 400
Cleveland, OH 44113
(216) 443-3700
(216) 443 -3737 fax

APPLICATION MATERIALS

The following materials must be submitted:

1. **OPWC Application for Financial Assistance** – An OPWC Application must be completed and submitted for each project. The instructions and application form can be downloaded from the OPWC website: <http://www.pwc.state.oh.us>.
2. **DOPWIC Application Supplement** – A DOPWIC Application Supplement must accompany each OPWC Application. The supplemental application can be downloaded from the Cuyahoga County Planning Commission website: <http://planning.co.cuyahoga.oh.us>.
3. **Capital Improvement Report** – The two sections of this CIR report must be submitted in the required format:
 - A. **OPWC Summary Form** – A summary of the units of infrastructure under the jurisdiction of the applicant and estimate of the repair and replacement costs of these units; and
 - B. **Maintenance of Effort Report and Five-Year Capital Plan** – Projects completed by the applicant for the period January 2008 – December 2009 and planned projects to be completed during the next five years (2010-2014). These report forms can be downloaded from the OPWC website: <http://www.pwc.state.oh.us>.
4. Attachments such as maps, pictures, videos, applicable pages or sections of reports and any other back-up documentation.

APPLICATION SUBMITTAL GUIDELINES

1. OPWC application and DOPWIC Application Supplement - Submit **one (1) original** and **two (2) copies** of each project application.
2. Capital Improvement Report – **Submit two copies** – one (1) original and one (1) copy.
3. All application materials must be typed, using a minimum of 11 font.

4. Do not bind all of the applications together or put them in any type of folder or binder. Just staple or clip each application.

A MESSAGE TO THE APPLICANT

Each applicant should review the contents of the Applicant Manual **before** preparing the application. It is the applicant's responsibility to ensure that all of the documents are **accurate, complete and in accordance** with the requirements, terms, and conditions set down by the OPWC and the DOPWIC. Failure to meet these conditions may result in the disqualification of a project.

If additional information or clarifications are needed, an applicant will be given five (5) days to respond to a staff request for additional information or corrections. If the applicant does not respond, the project will be scored using the original information.

CONTACTS

District One Public Works Integrating Committee:

Ms. Claire Kilbane, Program Manager, at the Cuyahoga County Planning Commission at (216) 443-3700 or email at ckilbane@cuyahogacounty.us.

Ohio Public Works Commission:

Mr. Lou Mascari, Program Representative, at the Ohio Public Works Commission at (614) 752-8117 or email lou.mascari@pwc.state.oh.us.

ALLOCATIONS

In June 2009, the Transportation Budget Bill significantly increased the Local Transportation Improvement Program funding.

The preliminary allocations for District One are:

State Capital Improvements Program (SCIP)	\$12,709,000
Local Transportation Improvement Program (LTIP)	19,033,000
Revolving Loan Program (RLP)	<u>3,612,000</u>
TOTAL	\$35,354,000

SCIP allocation requirements are:

Maximum allowed in grants (80%)	\$10,167,200
Minimum loans or local debt support (20%)	<u>2,541,800</u>
TOTAL	\$12,709,000

PROGRAM YEAR 2010 SCHEDULE

The DOPWIC has established the following schedule for evaluating and selecting projects for recommendation in PY 2010. All of the dates indicated are subject to change.

ACTIVITY	DATE
Application Materials Available	August 3, 2009
Application Workshop	Wednesday, August 26, 2009
PY 2010 Application Submittal Deadline	Friday, September 25, 2009
PY 2010 Project Evaluation - Staff	October 5 – November 30, 2009
DOPWIC Evaluation of Projects	November 30 – December 17, 2009
Staff Recommendations posted on CPC website.	On or around November 30, 2009
Appeals from Applicants due to DOPWIC	Thursday, December 3, 2009
DOPWIC and Small Government Meeting – Selection of Projects	Thursday, December 17, 2009
PY 2010 Recommendations Submitted to OPWC	Prior to March 30, 2010
PY 2009 SCIP and RLP Awards Available	July 1, 2010

APPLICANT WORKSHOP

The Program Year 23 Applicant Workshop will be held on:

Wednesday, August 26, 2009 from 10:00 a.m. to 11:30 a.m.

Metroparks Canalway Visitor's Center
Ohio & Erie Canal Reservation
4524 East 49th Street
Cuyahoga Heights, OH 44125

To register for the Workshop:

1. Call or email Marionette Richardson Scott at (216) 443-3700
mrichardson@cuyahogacounty.us or
2. Use the online submittal form at <http://planning.co.cuyahoga.oh.us/dopwic>

Please RSVP before **August 21, 2009**.

SECTION TWO

GENERAL PROGRAM INFORMATION

STATE CAPITAL IMPROVEMENTS PROGRAM

In 1987, State of Ohio voters approved a constitutional amendment authorizing the state to sell bonds and other obligations for capital infrastructure projects.

What entities are eligible to receive SCIP funds?

- Counties
- Cities
- Villages
- Townships
- Sanitary Districts
- Regional water and sewer districts

What types of capital improvement projects are eligible for SCIP assistance?

- Bridges and culverts
- Roads
- Solid waste disposal facilities
- Stormwater and sanitary collection, storage and treatment facilities
- Water supply and distribution systems
- Wastewater treatment systems

What costs associated with capital improvement projects are eligible for funding?

- Acquisition of property and facilities
- Engineering and design
- Construction
- Equipment
- Related financing costs

What types of funding are available through this program?

SCIP funds will cover up to 90% of a project's total cost if it is a repair or replacement project. New and expansion projects will be funded up to 50% of the total project's cost.

There are three types of SCIP funding available:

Grants – 80% of the district's SCIP allocation can be awarded in the form of grants. A minimum 10% match is required.

Loans and Local Debt Support – 20% of the district's SCIP allocation must be awarded in the form of interest free loans or in the form of local debt support. Applicants can request up to 100% funding in the form of a loan.

There are two types of local debt support funding available:

Loan Assistance – Loan assistance funds are awarded in the form of a grant to pay interest costs associated with a loan from either a public or private lender or the

issuance of a bond or note. Eligible interest costs are those that accrue during the construction period and for one year following the completion of construction.

For projects with a construction start date before the issuance date of the OPWC project agreement, the “look back” period is one year from the OPWC agreement issuance date.

Credit Enhancement – Credit enhancement funds are awarded in the form of a grant to cover the up-front purchase of a private bond insurance policy.

FOR MORE INFORMATION ON THE COVERAGE, TERMS AND REQUIREMENTS OF SCIP FINANCIAL ASSISTANCE PLEASE SEE SECTION SIX.

Who selects the projects for financial assistance?

For purposes of allocating the funds, the state's eighty-eight counties have been organized into nineteen districts. Districts integrating committees, consisting of public and private officials, have been formed in each district to oversee implementation of the program in the district. The committees are to:

1. Evaluate applications submitted by local communities for which assistance is sought; and
2. Select the requests for financial assistance that will be recommended to the OPWC.

Funds from each bond sale are allocated by the Director of the OPWC to the district integrating committees on a per capita basis. The committees are mandated to use specific evaluation criteria in determining which projects will be recommended for financial assistance. The district integrating committees are prohibited from allocating the funds in their district on a per capita basis.

Cuyahoga County is District One and is overseen by the District One Public Works Integrating Committee (DOPWIC)

Who serves on the DOPWIC?

The following entities appoint two representatives to serve on the DOPWIC: Board of Cuyahoga County Commissioners, the Mayor of the City of Cleveland and the Cuyahoga County Mayors and City Managers Association. The six members appoint a seventh member to represent private sector interests. The current members are:

MEMBERS

Honorable Timothy F. Hagan
Cuyahoga County Commissioner

Mr. Robert C. Klaiber, Jr., P.E., P.S., Chair
Cuyahoga County Engineer

Honorable John Licastro
Mayor, Village of Bratenahl

Mr. J. Christopher Nielson
Commissioner, Cleveland Water Department

Honorable Susan Renda
Mayor, Village of Moreland Hills

Mr. Stanley Trupo
Private Sector Representative

Ms. Jomarie Wasik
Director of Public Service, City of Cleveland

How does an eligible applicant qualify?

A subdivision must complete a Capital Improvement Report (CIR) consisting of the following items:

1. An inventory and needs assessment of existing capital infrastructure;
2. A five-year capital plan prioritizing capital infrastructure needs for the years 2011-2015;
3. A two-year maintenance of effort report for the period January 1, 2009- December, 2010; and
4. A summary of the units of infrastructure under the jurisdiction of the applicant and estimates of the repair and replacement costs of these units.

This report must be submitted in the standardized format with the project applications. A manual on how to complete a CIR can be downloaded from the OPWC website at <http://www.pwc.state.oh.us/cir.htm>.

How does an eligible applicant apply?

Funding is available on a yearly basis. In August, prior to the new program year, the DOPWIC notifies all eligible applicants that the application materials are available through the CPC website or by contacting the District Liaison. It is up to the applicant to decide if there are projects in the community that are in need of financial assistance and if they qualify for funding. The applicant must prepare and submit the necessary application materials prior to the Application Submittal Deadline established by the DOPWIC.

How are projects selected for recommendation?

The DOPWIC is mandated to give priority to projects that:

1. Repair or replace existing infrastructure; and
2. Would not be undertaken without assistance.

The DOPWIC is required by law to use ten specific criteria to evaluate projects for recommendation. The process is explained in detail in Sections Three and Four of this manual.

What happens after a project is recommended by the DOPWIC for financial assistance?

All projects recommended by the DOPWIC for SCIP funding are reviewed by the Director of the OPWC. Once a project is given final approval by the OPWC, the applicant and the OPWC enter into an agreement which defines the project, the amount and type of financial assistance and the performance requirements of the applicant. Disbursements are made either as the applicant constructs the project or after the work has been completed.

Is any special consideration given to villages and townships?

The OPWC will allocate \$12.5 million to villages and townships with populations of less than 5,000 for Program Year 2010. **Only infrastructure that is village- or township-owned is eligible for assistance.** This program is administered by the Small Government Capital Improvements Commission (SGCIC) under the auspices of the OPWC.

To be eligible to receive small government funding, a village or township must apply to the DOPWIC during the annual application process. Projects submitted by villages and townships are first evaluated and ranked by the DOPWIC for possible funding from the district allocation.

Villages and townships projects not recommended by the DOPWIC will then be evaluated and ranked by the District One Small Government Subcommittee, which consists of three members of the DOPWIC. After its evaluation of the village and township projects, the Subcommittee will recommend the **five** top-ranked projects and **two contingency** projects to the SGCIC for further consideration. These projects are included in the DOPWIC funding proposal.

The SGCIC, using a separate evaluation process, evaluates and ranks all of the village and township projects submitted by the nineteen districts. From these projects the SGCIC selects projects for funding from the \$12.5 million set-aside.

The SGCIC Program Criteria includes, but is not limited to the following:

- Grants are limited to \$500,000. Any additional assistance will be offered in the form of a loan.
- Grants for new or expanded infrastructure cannot exceed 50% of the project estimate.
- The Commission may deny funding for water and sewer projects deemed more cost-effective if regionalized. If a water or sewer project is funded, a loan will be offered.

Once Applications are submitted by the Districts to the OPWC, the Applicants are given a 30 day period in which to submit to the OPWC supplemental application materials and information.

Note: SGCIC Applicants should check for other SGCIC Criteria and Policies on the District One and OPWC websites.

Is there any way for a community to receive SCIP funding for an emergency situation?

The OPWC will have \$2.5 million for PY 2010 to fund projects that the director of the OPWC determines to be an emergency.

FOR MORE INFORMATION ON EMERGENCY FUNDING, SEE SECTION FIVE, PROGRAM POLICIES AND REQUIREMENTS.

REVOLVING LOAN PROGRAM

The Revolving Loan Program (RLP) is financed with loan repayments from loans made in previous program years through the SCIP to District One communities. The annual RLP loan allocation is based on the repayments received from District One loan recipients.

What entities are eligible to receive RLP funds?

- Counties
- Cities
- Villages
- Townships
- Sanitary Districts
- Regional water and sewer districts

What costs associated with a capital improvement project is eligible for RLP funding?

- Acquisition of property and facilities
- Engineering and design
- Construction
- Equipment
- Related financing costs

What types of funding are available through the RLP program?

All awards are in the form of loans that can cover up to 100% of the total project cost.

FOR MORE INFORMATION ON THE COVERAGE, TERMS AND REQUIREMENTS OF RLP ASSISTANCE PLEASE SEE SECTION SIX.

How does an applicant apply and how are projects selected?

The applicant applies for RLP funding at the same time and in the same manner as it applies for SCIP funding. The same project selection and evaluation process is used to select RLP projects.

LOCAL TRANSPORTATION IMPROVEMENT PROGRAM

The Local Transportation Improvement Program (LTIP) is financed by monies collected from the motor vehicle fuel excise tax, which became effective on July 15, 1989. There is no legislative restriction on the life of the program. The funds are allocated each fiscal year on a per capita basis to the district integrating committees established for the distribution of the State Capital Improvement Program. As with SCIP funds, the districts are prohibited from allocating LTIP funds on a per capita basis.

What types of entities are eligible to receive LTIP funds?

- Countries
- Cities
- Villages
- Townships

What types of capital improvement projects are eligible for the LTIP assistance?

- Bridges
- Roads

What costs associated with a capital improvement project is eligible?

- Acquisition of property and facilities
- Engineering and design equipment
- Construction

What types of funding are available through this program?

All awards are in the form of grants that can cover up to 100% of the total project cost.

FOR MORE INFORMATION ON THE COVERAGE, TERMS AND REQUIREMENTS OF LTIP FINANCIAL ASSISTANCE PLEASE SEE SECTION SIX.

How does an applicant apply and how are projects selected?

The applicant applies for LTIP funding at the same time and in the same manner as it applies for SCIP funding. The same project selection and evaluation process is used to select LTIP project.

SECTION THREE

PROJECT SELECTION PROCESS

The applications for financial assistance will be processed in the following phases:

Phase 1 - Project Specific and Preliminary Evaluation

Phase 2 – Applicant Financial Evaluation

Phase 3 – Final Project Selection

Phase 4 – Small Governments Project Selection

PHASE 1 PROJECT SPECIFIC AND PRELIMINARY EVALUATION

The project specific and preliminary evaluation includes the following steps:

1.1 Initial Review. Applications will be reviewed by the staff for compliance with the Program Year 2010 policies of the OPWC and the DOPWIC. Any project application that does not comply with these policies will be deemed ineligible and will be returned to the applicant pursuant to the DOPWIC Right of Return Policy.

1.2 Preliminary Project Evaluation. Using the DOPWIC Project Specific Evaluation Criteria, excluding Applicant Financial and Other Project Factors, the staff will evaluate and score all of the projects to arrive at a Project Specific Score for each project.

Cleveland Water Department staff will assist the DOPWIC staff in the evaluation of the projects that have watermain work included. Staff from the Northeast Ohio Regional Sewer District (NEORS) will assist the DOPWIC in the evaluation of stormwater and sanitary sewer projects.

1.3 Project Specific Ranking. All of the projects will be ranked based on the Project Specific Score. From this list, the staff will select projects that total approximately, the amount of the allocation available plus a certain number of contingency projects.

1.4 20% Loans/Local Debt Support Minimum Requirement. The staff will ensure that there are enough projects requesting loans or local debt support in the Project Specific Ranking to meet the 20% minimum requirement.

PHASE 2 APPLICANT FINANCIAL EVALUATION

2.1 Financial Evaluation. Using independent information, explained in Section 4 – *Application Financial Evaluation* sources the staff will calculate an Applicant Financial Score using the DOPWIC Applicant Financial Criteria.

2.2 Addition to the Project Specific Ranking. The Applicant Financial Score will be added only to those projects selected by the staff in Section 1.3. The projects that are not selected in Section 1.3 will not be given an Applicant Financial Score.

2.3 Preliminary Project Ranking (Staff Recommendations). The selected projects will be re-ranked according to the Preliminary Project Score, which is the sum of the

Project Specific Score and the Applicant Financial Score. These projects will be recommended to the DOPWIC, in rank order, for further evaluation.

The **Preliminary Project Rankings** or **Staff Recommendations** are separated into three tiers:

Tier 1: Primary Recommendations - the highest ranked projects which total the amount of the allocation;

Tier 2: Secondary Recommendations - or contingency recommendations which could be funded if additional funds become available; and

Tier 3: No recommendations - all other projects.

These recommendations will be posted on the CPC website on or around November 30, 2009:

<http://planning.co.cuyahoga.oh.us>

PHASE 3 PROJECT SELECTIONS

Projects are selected for financial assistance using the following process:

- 3.1 Final Project Evaluation.** The DOPWIC will be presented with the Preliminary Project Ranking list of recommended projects from the staff.
- 3.2 Special Consideration.** After reviewing the Preliminary Project Ranking, a DOPWIC member can request that a project not included in the Preliminary Project Ranking be brought up for special consideration. The District Liaison must be notified prior to the Final Project Ranking so other Committee members can be given the information on the project.
- 3.3 Appeal Process.** An applicant can ask the DOPWIC to reevaluate the score received in the staff evaluation. An applicant cannot supplement the application with additional information to receive more points.

To appeal a staff evaluation score:

1. The application must submit an appeal in writing to the DOPWIC, two weeks prior to when the DOPWIC meets to select the program year recommendations. The deadline for PY 2010 is December 3, 2009.
2. The request must specify the category or categories that the applicant believes were not correctly evaluated with an explanation of why the score(s) awarded are not justified.
3. The DOPWIC will address the appeals at a special meeting or at the meeting at which the final project ranking will be determined.
4. At this meeting, the staff will explain its reasons for awarding the score(s) to the project.

5. An affirmative vote of five DOPWIC members is needed to change a project's score.

3.4 Final Project Ranking. The DOPWIC at their discretion will score the projects using the Other Project Factors criteria or accept the preliminary scores. If the projects are scored, the scores from this final project evaluation will be added to the Preliminary Project Score to determine the Final Score and the Final Ranking.

3.5 Project Selection. Based on the Final Ranking, the projects that total the amount of the financial assistance available for LTIP grants, SCIP grants, SCIP loans, SCIP local debt, and RLP loans will be identified. These projects will be submitted as the DOPWIC's recommendations for PY 2010.

An additional number of projects will be placed on a "contingency list." These projects will be submitted as the DOPWIC's contingency recommendations for PY 2010..

3.6 Checks. The list of selected projects will be reviewed by the staff to determine if:

1. There are enough LTIP – eligible (i.e. road and bridge) projects to meet or exceed the LTIP allocation amount;
2. The loan and/or local debt support 20% minimum requirement has been met; and
3. The 20% maximum permitted for new/expansion has not been exceeded.

3.7 Financial Assistance Allocation. If the list of selected projects have met all of the above requirements, the financial assistance will be allocated as follows:

1. **LTIP:** LTIP funds will be allocated to LTIP-eligible projects based on the Final Project Score. To maximize the allocation, a project may not be allocated LTIP funds if the requested financial assistance is greater than the remaining balance of available LTIP financial assistance. These "passed-over" projects will be given consideration for SCIP financial assistance. Consideration will also be given to partial allocations. If there are not enough LTIP funds to fully fund a project, the balance remaining on the project will be placed on the contingency list.
2. **\$50,000 Request:** Projects requesting \$50,000 or less will receive SCIP grants.
3. **SCIP:** Funds will be allocated to projects based on the Final Project Score. The amount and type of award will be based on the applicant's request. Partial allocations may be given if there are not enough funds to fully fund each request.
4. **RLP:** Funds will be allocated to the remaining projects on the list that:

- A. Requested a loan but were not selected for a SCIP loan; or
- B. Not allocated LTIP OR SCIP funds.

3.8 Financial Assistance Offers. The DOPWIC will notify the successful applicants of their intent to recommend their project. If an applicant declines the funding it will be offered the highest ranked project on the contingency list that is eligible for that type of funding.

3.9 Submittal of Recommendations. The DOPWIC will prepare, for submittal to the Director of the OPWC, a funding proposal which will include:

- 1. An explanation of the process used to select the projects;
- 2. An application packet for each recommended project;
- 3. A list of all of the projects considered by the DOPWIC and their final disposition: recommended, contingency and not recommended.

PHASE 4 SMALL GOVERNMENTS PROJECT SELECTION

4.1 Project Evaluation. Projects from villages and townships with a U.S. Census 2000 population under 5,000 that were not selected by the DOPWIC will be evaluated and scored by the staff and recommended to the Small Governments Subcommittee.

4.2 Project Selection. The Applicant Financial Scores will be added to the projects so that their Preliminary Project Score can be determined. The projects will be ranked by their Preliminary Project Score and will be submitted to the Small Governments Subcommittee for evaluation.

4.3 Final Project Ranking. The Small Government Subcommittee will score each project using the Other Project Factors criteria. The scores from this evaluation will be added to the Preliminary Project Score to determine the Final Project Score and Final Project Ranking. The Small Government Subcommittee will select projects in rank order for submittal to the Small Governments Capital Improvements Commission.

ALTERNATIVE SELECTION PROCESSES

LTIP-Eligible Projects

If the list of selected projects does not contain sufficient LTIP-eligible projects, then the staff will use the following alternative process to allocate the LTIP-funds:

- 1. The list of selected projects will be reviewed to determine if there are road and bridge projects that requested a loan.

2. If there are such projects, the staff will run a separate final ranking of the road and bridge projects without consideration being given for a loan request.
3. Those high-ranked projects equal to the LTIP allocated LTIP funds.
4. The road and bridge projects that are not selected for LTIP funds would be reassigned the loan points and allocated SCIP or RLP funds accordingly.

20% Loan/Local Debt Support Minimum Requirement

If in total, the projects selected for financial assistance do not have awards that meet or exceed the 20% loan/local debt support minimum requirements, the list of recommended projects will be reviewed and applicants with top-ranked projects will be asked to take partial or full loan until the minimum loan requirement is met. These determinations will be made by the chair with the advice and consent of the other DOPWIC members.

20% New/Expansion Limit

If in total, the projects selected for financial assistance has a new or expansion components that exceed the 20% limit, the lowest ranked new/expansion project award will be reduced until the district's slate of projects meets the 20% requirement. If the reduced offer is rejected by the applicant, or it zeroes out the request, the next project on the final ranking list that meets the requirements will be offered the available funds.

SECTION FOUR

PROJECT EVALUATION PROCESS

**Includes instructions for completing the
DOPWIC Application
Supplement**

The projects submitted for financial assistance will be evaluated using the criteria set forth in Sections 164.06 and 161.1 of the Ohio Revised Code.

EVALUATION CRITERIA

The project evaluation criteria used to evaluate the applications has been organized into three (3) categories:

- 1. *PROJECT SPECIFIC CRITERIA***
 - Infrastructure Needs of the District
 - Infrastructure Age
 - Infrastructure Condition
 - Project Preventative Maintenance
 - Health and Safety Needs
 - Other Project Funding
 - Subdivision Financial Participation
 - Community and Economic Development
 - Access to Funds
 - Regional Collaboration
- 2. *APPLICANT FINANCIAL CRITERIA***
 - Overall Economic Health
 - Ability/effort to Finance
- 3. *OTHER PROJECT FACTORS CRITERIA***

Table I, at the end of this section, shows the maximum points, weight factors and maximum weighted points for each Project Specific and Other Project Factor Criteria.

Table 1A shows the maximum points, weight factors, and maximum weighted points for the Applicant Financial Evaluation.

COMPLETING THE DOPWIC APPLICATION SUPPLEMENT

NOTE: The Application Supplement is designed and formatted in Microsoft Word. Please note specific instructions for downloading and completing the application.

Applicant Information – Page 1

Applicant: Indicate the name of the applicant. Projects involving multiple applicants must designate a lead agency.

Co-Applicant: Indicate any other entities that are participating on this project.

Contact: Provide the name of the individual who can answer or coordinate the response to questions about the project. Do not list the mayor or city manager as the contact person unless they can answer questions about the project scope or engineering.

Phone, Fax, and Email Address: Provide the daytime telephone number, the fax number and the e-mail address of the contact person.

Project Description – Page 1

Project Name: Name of the project- be as descriptive as possible and use the same name stated on the OPWC application.

Community Priority (Optional)

Community Priority is not an official evaluation criterion. Applicants with more than one project can prioritize their projects in order of community importance. There are no points awarded according to priority; however it may be taken into consideration by the DOPWIC members as they evaluate the projects.

Project Location: Indicate the location and limits of the project. For example: Reconstruction of Main Avenue from First Street to Sixth Street. Attach a location map.

Primary Objectives- Page 2

Based upon the type of project, indicate the primary objective(s) of the project. Check all the boxes that apply.

Project Description - provide a brief description of the project.

THE REMAINING PAGES EXPLAIN THE PROJECT SPECIFIC CRITERIA USED BY THE DOPWIC AND ALSO PROVIDES INSTRUCTIONS FOR COMPLETING THE APPLICATION SUPPLEMENT AS IT PERTAINS TO THE SPECIFIC CRITERIA.

PROJECT SPECIFIC CRITERIA

Information that is required or will assist the applicant in completing Application Supplement is marked off with a ☞ and the text is *italicized*.

Historic Development

In order to direct financial assistance toward the district's oldest infrastructure, points will be awarded to projects located in the oldest areas of the County. The historic land use maps developed by the Cuyahoga County Planning Commission for 1948, 1958, 1969, 1977 and 1999 will be used.

☞ ***No information is required from the applicant.***

Points will be awarded as follows:

MAP DATE	POINTS
Prior to 1948	5
1949-1959	4
1960-1969	3
1970-1977	2
1980-present	1

Functional Needs- Page 5

This criterion focuses on the number of people that will ***directly*** benefit from the improvement, with higher points awarded to projects that will impact a greater number of people.

- ☞ *The applicant is required to provide the Average Daily Traffic (ADT) for each road, bridge or culvert included in the application; this should be the ADT for the segment included in the application.*
- ☞ *For intersection projects, the ADT for the intersection must be provided.*
- ☞ *For water, sewer and solid waste projects the applicant must provide the number of users that would directly benefit from the project, i.e., number of households, employees and/or students.*
- ☞ *Indirect users can be included if the sewer or waterline provides service to a large area as evidenced by the distribution system that when repaired will provide benefits to intersecting streets. Attach maps or drawings showing the area benefiting from the project.*

For road, bridge and culvert projects:

The current ADT for a 24-hour period will be multiplied by 1.2 occupants (a standard conversion factor); if the structure is closed or posted the documented traffic count prior to the restriction will be used.

For water, sewer, wastewater treatment and solid waste projects:

For residential areas: the number of households in the service area will be multiplied by 2.49 (State of Ohio's 2000 average household size).

For office, industrial, educational or commercial areas: the number of employees or students in the service area, as provided by the applicant, will be used.

Points will be awarded in the following manner:

NUMBER OF USERS	POINTS
Over 20,000	5
15,001- 20,000	4
10,001- 15,000	3
5,000- 10,000	2
Under 5,000	1

Infrastructure Age and Preventative Maintenance- Page 6

- A. All infrastructure has an estimated useful life which takes into account the specific set of physical circumstances and the anticipated service loads encountered by the infrastructure. Infrastructure should be designed so that it will perform its intended service for the number of years that are currently accepted in the field of engineering.

Based on the infrastructure type and related life expectancy, points will be awarded to rehabilitation and expansion projects based on the date of original construction or last major improvement.

- ☞ *Additional information, including official evaluation reports, maps, photographs, etc., that expands on the description will assist in the scoring of this category.*

PROJECT TYPE	LIFE	POINTS				
		5	4	3	2	1
Bridge	50	Prior to 1959	1959 -70	1971-82	1983-94	1995-09
Road	20	Prior to 1989	1989-93	1994-98	1999-03	2004-09
Sanitary Sewer	50	Prior to 1959	1959 -70	1971-82	1983-94	1995-09
Septic System	20	Prior to 1989	1989-93	1994-98	1999-03	2004-09
Solid Waste	50	Prior to 1959	1959 -70	1971-82	1983-94	1995-09
Storm Water	50	Prior to 1959	1959 -70	1971-82	1983-94	1995-09
Wastewater Treatment	30	Prior to 1979	1979-85	1986-93	1994-00	2001-09
Water Supply	50	Prior to 1959	1959 -70	1971-82	1983-94	1995-09
Water Treatment	30	Prior to 1979	1979-85	1986-93	1994-00	2001-09

B. Preventative Maintenance

- ☞ *Describe in the box provided the **preventative maintenance** that has been done by the applicant to prolong the life of the structure*

For example:

Bridges and Culverts – Painting; mill and fill of less than 3 inches; deck and crack sealing; expansion joint repair.

Roads – Crack sealing; mill and fill of less than 3 inches.

Water lines – point repairs

Sewer lines – flushing; point repairs, grouting.

Infrastructure Condition- Page 7

The current condition of the infrastructure will determine the work that needs to be done to restore or improve the structure's integrity. Based on the current and actual condition of the infrastructure, points will be awarded to rehabilitation and expansion projects as shown below.

⇒ *Using the condition descriptions in this table, indicate the current condition of the project and provide a brief description.*

CONDITION RATING	DESCRIPTION	POINTS
Failed	Requires complete reconstruction where no part of the existing infrastructure is salvageable.	5
Critical	Requires major reconstruction to maintain integrity.	4
Poor	Requires partial reconstruction or extensive rehabilitation to maintain integrity	3
Fair	Requires major rehabilitation to maintain integrity	2
Good	Requires routine maintenance and periodic repairs to maintain integrity.	1
Projects consisting of new infrastructure will receive a "0" in the condition category, unless it is determined that a unique situation exists and that it would be alleviated by completion of the project. If this unique situation is documented, the project will receive one (1) point.		

Health and Safety Needs- Page 8

The documentation provided by the applicant in Sections A, B, and C is used to determine the degree to which the public's health and safety is being compromised by the project.

☞ *Additional information, including official evaluation reports, maps, photographs, etc., that expand the description will assist in the scoring of this category.*

A. Identify the infrastructure's deficiency or problem by checking the appropriate box (es).

- *Describe the health and safety Problem(s); and*
- *Where or how the problems originated.*

B. Document the extent of the health and safety problem in terms of its frequency and/or magnitude.

- *How often does the health and safety problem occur – all of the time, frequently, occasionally, or rarely?*
- *When the problem does occur - what is the severity of its effects?*
- *Depending upon the type of infrastructure, how is the problem affecting the community's citizens, the environment and the economy?*

C. Describe how the proposed improvement will eliminate or reduce the health and safety problem.

- *How is the applicant going to address the structural problem(s) to eliminate the health and safety problems?*

BRIDGES

☞ *Provide a copy of the Ohio Department of Transportation's Bridge Inspection Report which includes the General Appraisal Rating for the structure. Only those bridges with General Appraisal ratings of **five or below** will be considered by the DOPWIC. Along with the inspection report, the applicant should provide photographs of the structure.*

ODOT General Appraisal Ratings:

1. **Failed Condition** – out-of-service; beyond corrective action.
2. **Imminent Failure Conditions** – major deterioration or section loss present in critical structural components. Bridge is closed to traffic but corrective action may put it back into light service.

3. **Critical Condition** – Advanced deterioration of primary structural elements. Fatigue cracks in steel or shear cracks in concrete may be present. Bridge should be closed, or closely monitored, until corrective action is taken.
4. **Serious Condition** – Loss of section, deterioration, or spalling have seriously affected primary structural components. Local failures are possible. Fatigue cracks in steel or shear cracks in concrete may be present.
5. **Poor Condition** – Advanced section loss, deterioration or spalling.
6. **Fair Condition** – All primary structural elements are sound, but may have minor section loss, cracking, or spalling. Secondary elements may have significant deterioration.

CUVERTS

Less than 10 feet.

☞ *Explain the problem associated with the culvert along with photographs of the structure.*

1. There is settlement or misalignment.
2. Seams and/or points are tight, seeping or cracking.
3. Rust/corrosion is present.

More than 10 feet.

☞ *Provide a copy of the General Appraisal Rating for the structure.*

ROADS

☞ Provide the information as requested based upon the type of road problem:

1. Pavement reconstruction and rehabilitation projects:

- *Describe and/or show the road's surface in terms of surface deterioration, e.g., rutting and cracks are evident.*

2. Capacity projects such as widening lanes or the installation of turn lanes at intersections :

- *Current lane width and Average Daily Traffic (ADT) – Explain how the average daily traffic exceeds the current lane width.*
- *Explain why the ADT has increased. Describe changes in the area that have increased traffic.*

3. Alignment projects:

- *Describe and/or show the vertical/horizontal alignment problem:*

SEWERS

In addition to the staff evaluation of these projects, the Northeast Ohio Regional Sewer District (NEORS) staff will provide a technical evaluation.

☞ *Provide the information based upon the type of sewer problems.*

1. Court or regulatory actions.

- *If the applicant is under orders from a court or regulatory agency, describe the reason (s) for the orders. Provide a copy of the orders. Make sure that the submitted project is listed in the orders.*

2. Flooding/Combined Sewer Overflows

- *When there is widespread flooding indicate how often it occurs (after 100 + year storms, anytime it rains or in dry weather) and whether the designed storm year has been exceeded. Indicate if and then how often there are damages to land, structure and/or the environment due to flooding. For combined sewer overflows or sanitary sewer overflows reference the Northeast Ohio Regional Sewer District's (NEORS) Combined Sewer Program and number assigned to the overflow.*

3. Structural Deficiencies.

- *Describe through picture, video the actual condition of the pipe.*

4. National Pollution Discharge Eliminations Systems (NPDES) violations

- *The number of violations received in the last ten years:*
- *No violations exceeding 20% of the NPDES permit limit*
- *1-10 violations exceeding the 20% of NPDES permit limit occurred*
- *10+ violations exceeding 20% of the NPDES permit limit occurred*
- *Community is under formal enforcement proceedings.*

SEPTIC SYSTEMS

If a septic system is discharging into the public waterways, please provide current (within the last year) documentation from the Cuyahoga County Board of Health that indicates the level of contamination:

1. Primary Contact:

- *Fecal coliform – The contamination exceeds 1,000 per ML for 5 samples within a 30-day period.*
- *E. coli – The contamination exceeds 126 per 100 ML on not less than than 5 samples within a 30-day period.*

2. Secondary Contact:

- *Fecal coliform – The contamination exceeds 5,000 per ML, or in more than 10% of the samples taken during any 30-day period.*

- E Coli – The contamination exceeds 576 per 100 ML in more than 10% of the samples taken during any 30-day period.

WATERLINES

In addition to the staff evaluation of these projects, the City of Cleveland's Water Department will provide a technical evaluation.

A. Break Rates

⇒ *Provide the necessary documentation to show the actual break rate for the waterline(s) being submitted for consideration*

- The break rate evaluation is based on the rate of failure in relation to the overall rate of failure of the City of Cleveland's distribution system. The Cleveland Water Distribution System's overall break rate is approximately 0.3 break/ (mile x year). A ratio of the break rate of the waterline in comparison to the overall break rate is determined. The higher the break rate ratio the higher the score.

B. Fireflow Deficit

⇒ *When the project involves waterline capacity, please provide documentation indicating the C-factor.*

- For waterline projects that state inadequate fire protection as the major problem. The percent of deficit in fire protection will be determined. Since the condition of a waterline directly relates to how efficiently water flows through the line, the rougher the surface of the waterline, the more turbulent the flow, which will cause a reduction in hydraulic capacity. A C-Factor below 30 and/or hydraulic capacity of less than 500 gallons per minute (gpm) at 20 psi (pounds per inch) indicates that the waterline(s) should be rehabilitated.

C. Water Quality

⇒ *When appropriate, please provide documentation of the poor water quality.*

- Water quality problems in the distribution system are usually a result of poor internal pipe surfaces and/or lack of circulation. Pipes that are tuberculated internally are potential sources of water quality problems. Water quality complaint records, Cleveland Water Department test records and other agency records are the basis of determining the intensity of problem.

WASTEWATER TREATMENT

☞ Explain why the pump station or treatment plant is structurally deficient in terms of influent flows, organic loads and NPDES violations.

- **Influent flows and organic loads are:**
 - *Less than 85% of design level; or*
 - *Greater than 85% of design level.*

- **National Pollution Discharge Eliminations Systems (NPDES) violations received in the last ten years:**
 - *No violations exceeding 20% of the NPDES permit limit*
 - *1-10 violations exceeding the 20% of NPDES permit limit occurred*
 - *10+ violations exceeding 20% of the NPDES permit limit occurred*
 - *Community is under formal enforcement proceedings.*

HEALTH AND SAFETY NEED	POINTS
<p>Continuous Problem with Severe Factors – The continuous problem affects a large area of the district and /or is citizens or the nature of the problem warrants additional consideration.</p>	5
<p>Continuous Problem – Applicant demonstrates that the health and/or safety problem occurs on a continuous basis and requires continuous prevention measures.</p> <p>Bridges: the structure has an ODOT general appraisal rating of “0” to “4”</p> <p>Culverts: the culvert has collapsed or its design inhibits traffic or water flow.</p> <p>Roads: the road is posted; the condition and/or design of the road causes poor vehicle operation or average daily traffic exceeds the threshold for road capacity.</p> <p>Sewers or Septic Systems: the applicant is under orders or has recorded violations, inadequate capacity causing extreme cases of flooding; wastewater contamination from untreated sewage; blocked or collapsed structures.</p> <p>Water: there is continuous low water pressure inhibiting fire flow; excessive breaks or repairs to the line; contamination of the water wells.</p> <p>A court order or a mandate from a regulating agency will constitute a continuous problem.</p>	4
<p>Intermittent Problem With Severe Factors- The intermittent problem affects a large area of the district and/or its citizens or the nature of the problem warrants additional consideration.</p>	3
<p>Intermittent Problem: Applicant demonstrates that the health and/or safety problem occurs intermittently.</p> <p>Bridges: the structure has an ODOT general appraisal rating of “5”</p> <p>Culverts: the culvert’s condition impedes water flow after heavy rainstorms causing flooding of streets.</p> <p>Roads: the road conditions (i.e. potholes) are such that it is causing poor vehicle operation on portions of the roadway; inadequate level of services (LOS)</p> <p>Sewers or Septic Systems: there is flooding during heavy rains; wastewater contamination of the systems impacting streets, homes, businesses.</p> <p>Water: there are beaks requiring repairs to the lines; contamination of water wells.</p>	2
<p>Minor/Potential Problem – Applicant provided minimal documentation or the project has been submitted to avoid a potential problem.</p>	1
<p>Application does not indicate a health or safety problem.</p>	0

Other Project Funding – Page 3 of OPWC Application

➤ **No information is required from the applicant.** Scores are calculated using the Information provided in the OPWC Application.

Projects will be awarded points in this category based on the percentage of funds committed by other sources and the applicant. Higher points will be awarded to projects that have other funds contributed to the project, including local revenues.

If other funding has been confirmed by the sponsoring agency, points are assigned in the following manner:

% OF ASSISTANCE REQUESTED	REHABILITATION PROJECT POINTS	COMBINATION PROJECT POINTS	EXPANSION/NEW PROJECT POINTS
100	0	0	0
90	1	0	0
80	2	0	0
70	3	1	0
60	4	2	0
50	5	3	1
40	6	4	2
30	7	5	3
20	8	6	4
10	9	7	5

Subdivision Financial Participation - Page 3 of OPWC Application

🗉 **No information is required from the applicant.** Scores are calculated using the information provided in the OPWC Application.

Projects will be awarded points in this category based on the percentage of funds committed to the project from local public revenues. The higher the local match provided, the higher the score.

A loan request will be considered as part of the subdivision's participation to the project.

% OF ASSISTANCE REQUESTED	REHABILITATION PROJECT POINTS	COMBINATION PROJECT POINTS	EXPANSION/NEW PROJECT POINTS
100	0	0	0
90	1	0	0
80	2	0	0
70	3	1	0
60	4	2	0
50	5	3	1
40	6	4	2
30	7	5	3
20	8	6	4
10	9	7	5

Community And Economic Development- Page 12

Infrastructure increases the value of public and private investments made in communities by enhancing the existing community assets, making new investments possible and increasing the tax base. The scoring for community and economic development will balance the need to support existing investments made in residential and commercial areas of communities with the need for continued economic growth.

Community Development Projects – are considered to be one that will develop unutilized or under-unutilized land and preserve and/or enhance a neighborhood or an existing commercial corridor.

Economic Development Projects – are considered to be one that will develop unutilized or under-utilized land for a private development that will create jobs and increase the value of adjacent land.

Points will be awarded in only one category.

☞ *Provide the following information:*

A. Provide an overview of the development project:

- *Location and type of development: community development or economic development.*
- *Describe the development: new or existing commercial, residential, industrial, office or manufacturing.*
- *Project's stage of development: conceptual, right-of-way acquisition, design, site preparation or construction.*
- *Number of parcels, land acres or square feet to be redeveloped or developed.*
- *How many of the parcels are or were certified brownfields? What is the status of the cleanup?*
- *Provide a sire plan for the community development project.*
- *Indicate whether transit, pedestrian and/or bicycle facilities are being retained or will be included in the development.*

B. Describe the importance of the infrastructure to the community or economic development project.

C. Explain the anticipated benefits that will occur from the community or economic development project.

COMMUNITY DEVELOPMENT	POINTS
Infrastructure project is needed to redevelop unutilized or under-utilized parcels into a community asset.	5
Infrastructure project is located in or along an existing commercial district.	4
Neighborhood preservation project.	3
Speculative development project or one that will cause the transfer of jobs from one community to another community.	0
ECONOMIC DEVELOPMENT	POINTS
Infrastructure project is required to restore an unutilized, under-utilized, or vacant parcel into an economic development asset – commercial, office, industrial, or manufacturing.	5
Infrastructure project is required for a new economic development asset- office, industrial, or manufacturing.	4.
Infrastructure project is needed for a new commercial development on undeveloped land.	3
Speculative development project or one that will cause the transfer of jobs from one community to another community.	0

Access to Funds

➤ **No information is required from the applicant.** Scores are calculated using the Information provided in the table on page 34.

To ensure an equitable distribution of the funds, communities that have applied for OPWC funding and have not received assistance in at least three (3) years will receive additional consideration.

YEARS WITH NO FUNDING	POINTS
7 or more	5
5 – 6	3
3-4	1
1-2	0

Points will be awarded according to the following chart.

ACCESS TO FUNDS POINTS

PY 2010

COMMUNITY/YR FUNDED	YEARS	POINTS	COMMUNITY	YEARS	POINTS
Bay Village (12)	11	5	Maple Heights (23)	0	0
Beachwood (3)	20	5	Mayfield (22)	1	0
Bedford (22)	1	0	Mayfield Heights (20)	3	1
Bedford Heights (23)	0	0	Middleburgh Heights	0	0
Bentleyville (22)	1	0	Moreland Hills (23)	0	0
Berea (20)	3	0	Newburgh Heights (12)	11	5
Bratenahl (15)	8	5	North Olmsted (23)	0	0
Brecksville (16)	9	5	North Randall (18)	5	3
Broadview Heights (23)	0	0	North Royalton (19)	4	1
Brook Park (23)	0	0	NEORS (4)	19	5
Brooklyn (14)	9	5	Oakwood (23)	0	0
Brooklyn Heights (23)	0	0	Olmsted Falls (18)	5	3
Chagrin Falls (20)	3	1	Orange (18)	5	3
Cleveland (23)	0	0	Parma (23)	0	0
Cleveland Heights (23)	0	0	Parma Heights (23)	0	0
County Engineer (23)	0	0	Pepper Pike (17)	6	3
County San. Engineer (23)	0	0	Richmond Heights (20)	3	1
Cuyahoga Heights (9)	14	5	Rocky River (23)	0	0
East Cleveland (22)	1	0	Seven Hills (23)	0	0
Euclid (23)	0	0	Shaker Heights (23)	0	0
Fairview Park (22)	1	0	Solon (23)	0	0
Gates Mills (23)	0	0	South Euclid (23)	0	0
Garfield Heights (22)	1	0	Strongsville (23)	0	0
Glenwillow (19)	4	1	University Heights (21)	2	0
Highland Heights (23)	0	0	Valley View (13)	10	5
Highland Hills (23)	0	0	Walton Hills (22)	1	0
Hunting Valley (21)	2	0	Warrensville Heights (17)	6	3
Independence (15)	8	5	Westlake (23)	0	0
Lakewood (23)	0	0	Woodmere (20)	3	1
Linndale*	0	0			
Lyndhurst (18)	5	3			

* - Linndale has never applied.

REGIONAL COLLABORATION- Page 13

Water Service Agreements

The City of Cleveland Water Departments provides water service to political subdivisions in the region. The provision of water facilitates economic development, creates and preserves jobs, improves property values and advances the economic welfare of the residents and businesses located within Cuyahoga County.

In a desire to work toward a regional economy that fosters cooperation versus competition the City of Cleveland has offered to enter into a Water Service Agreement (WSA) with Cuyahoga County political subdivisions.

Any applicant that has entered into a WSA, at the date of submittal of this application will receive points in this category for each application it has submitted.

Multi-community Projects

Projects that involve one or more communities or more than one district will receive points in this category.

APPLICANT FINANCIAL EVALUATION

⇒ **No information is required from the applicant.** Scores are calculated using the information explained below.

The DOPWIC will evaluate the overall economic health and ability and effort to finance infrastructure projects of the subdivisions in Cuyahoga County.

Chart 1A at the end of this section indicates the maximum points, weight factors and the maximum weighted points for each of the applicant financial evaluation criteria. The remainder of this section provides additional information on the criteria and the awarding of points.

Applicant Financial Criteria

Overall Economic Health

Assessed Valuation

Assessed valuation of a subdivision reflects last year's taxable "wealth" or tax base, and is an indicator of its overall economic health. The division of the total assessed valuation by a subdivision's 2004 estimated population provides an assessed valuation per capita which permits a relative comparison of the subdivisions. Points will be awarded relative to the lowest assessed valuation per capita with subdivisions with high valuations per capita of their service area will be used.

Per Capita Income

Median per capita income is an indicator of the economic health of a subdivision's citizens and its potential payroll tax base. The lower a subdivision's per capita income, the less ability it has to levy additional taxes without placing undue hardship on its residents.

Using the U.S. Bureau of the Census' 1999 Median Per Capita Income, points will be awarded relative to the lowest median per capita income. Subdivisions with high per capita incomes will receive low points. For special districts, the median per capita income of their service area will be used.

Poverty Indicator

Information will be obtained using the Case Western Reserve University Mandel School of Applied Social Sciences CAN-DO poverty indicator's data including the percentage of persons in each community that are eligible for food stamp assistance. The higher the poverty indicator of a local subdivision the greater the point value that will be awarded to the applicant.

Ability and Effort to Finance

Debt

The Ohio Revised Code Section 5705.02 states that “the aggregate amount of taxes that may be levied on any taxable property in any subdivision or other taxing unit shall not in any year exceed ten mills on each dollar of tax valuation of such subdivision or other taxing unit, except for taxes specifically authorized to be levied in excess thereof.”

Unvoted debt, or inside millage, must be used first for the payment of debt service on its unvoted general obligation debt. The Cuyahoga County Budget Commission compiles a Supplemental Financial Statement which is updated whenever a subdivision issues debt. The Commission calculates the number of mills used, out of ten available, by adding up the principal interest due to divided by the current assessed valuation of property in that subdivision.

Voted debt must be in sufficient millage, as it becomes due, to pay the debt services. The County Budget Commission also prepares a Schedule A, which includes the “Auditor’s Estimate of Tax Rate.” This estimates the voted millage for debt retirement for each community.

The total of the unvoted and voted millage is an indicator of the willingness of the subdivision and its residents to incur debt to fund capital improvements. It is also an indicator of the subdivision’s ability to issue additional debt to finance capital improvements.

Points will be awarded relative to the highest total millage with subdivisions with high millage receiving high points.

Per Capita Revenue Contribution

Each subdivision must file each year with the Cuyahoga County Budget Commission its “Amended Official Certificate of Estimated Resources.” This certificate indicates the subdivision’s estimated revenues from all sources for the following year. For county agencies and special districts, the estimated total revenues for the current fiscal year are determined. Dividing these total revenues by the subdivision’s population provides a relative comparison between the subdivisions.

The division of the subdivision revenue per capita by the median per capita income of the subdivisions’ residents determines the per capita contribution to the cost of the government. This per capita contribution is an indicator of both ability and effort to finance.

Points will be awarded relative to the high per capita contribution, with subdivisions with higher per capita contributions receiving high points.

Infrastructure Expenditures

The “Two-Year Maintenance of Effort” report submitted by the applicant as part of their application, should document the subdivision’s previous two years (January 2008- December 2009) of Issue 1 and LTIP eligible capital improvement efforts. The infrastructure expenditures documented in this report will be divided by the population of the subdivision’s service area to arrive at the infrastructure expenditures per capita. The higher the resultant value, the higher the points that will be awarded.

Taxing Effort

One bonus point will be awarded to any subdivision that has levied the optional five dollars (\$5.00) license fee, an infrastructure levy, user fee, or a dedicated tax for the applied project.

OTHER PROJECT FACTORS EVALUATION

Other Factors

This category represents the composite of the DOPWIC members' independent judgment regarding the proposed project in the district, their conformance with sound fiscal management and their importance in promoting the development and maintenance of the district's infrastructure and the goals of the OPWC. The score of this category cannot equal more than 20% of the total points awarded in the evaluation process.

The staff will assist the DOPWIC members in the evaluation of the category by assembling the information required for the members to score the projects. This information can include:

- Whether the project will generate revenue:
- The amount of local dollars begin leveraged by the applicant;
- The potential operating and maintenance cost impact of the project;
- Whether the project will avert a more expensive future capital cost;
- The feasibility of the project;
- Whether the project has been adequately planned;
- Special implementation problems that may exist;
- The extent of public or private interest in the project;
- Whether the applicant is under any legal obligations to complete the project or participate in the project to ensure its completion;
- Whether the undertaking of one project will adversely affect another subdivision;
- Other factors deemed necessary by the member.

TABLE 1 TOTAL EVALUATION POINTS				
CRITERIA	MAXIMUM POINTS	WEIGHT FACTOR	MAXIMUM WEIGHTED POINTS	%
Needs of the District				
Historic Development	5.0	5.0	25.0	7.14
Functional Needs	5.0	4.0	20.0	5.71
Infrastructure Age	5.0	5.0	25.0	7.14
Infrastructure Condition	5.0	5.0	25.0	7.14
Project Preventive Maintenance	5.0	1.0	5.0	1.43
Health/Safety Need	5.0	13.0	65.0	18.57
Other Project Funding	10.0	2.5	25.0	7.14
Subdivision Financial Participation	10.0	2.5	25.0	7.14
Community and Economic Development	5.0	1.0	5.0	1.43
Access to Funds	5.0	1.0	5.0	1.43
Regional Collaboration/Multi-community Projects	5.0	1.0	5.0	1.43
Project Specific Scoring			230.0	
Financial Points (See Chart 1A)	50	1.0	50.0	14.29
Preliminary Project Score			280.0	
Other Project Factors	10.0	7.0	70.0	20.0
TOTAL			350.0	100.0

TABLE 1A APPLICANT FINANCIAL EVALUATION POINTS				
CRITERIA	MAXIMUM POINTS	WEIGHT FACTOR	MAXIMUM WEIGHTED POINTS	SUBTOTALS/ TOTALS
Assessed Valuation	2	4.5	9.0	
Per Capita Income	2	4.5	9.0	
Poverty Indicator	2	4.5	9.0	
Overall Economic Health Subtotal				27.0
Debt	2	4.0	8.0	
Per Capita Revenue Contribution	2	4.0	8.0	
Infrastructure Expenditures	1	4.0	4.0	
Taxing Effort	1	3.0	3.0	
Ability/Effort to Finance Subtotal				23.0
TOTAL				50.00

SECTION FIVE

PROGRAM GUIDELINES AND REQUIREMENTS

Applicants – See items marked with *

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PROGRAM POLICIES AND GUIDELINES

The following policies and guidelines have been adopted by the OPWC or the DOPWIC and should be carefully reviewed before the application materials are completed. This review will ensure project eligibility and will prevent delays in project evaluation and selection due to non-compliance with program requirements.

These policies and guidelines should be retained for future reference because they relate to all phases of the funding process: preparing applications, project review and evaluation, and project implementation.

The Policies and Guidelines that should be reviewed prior to the submittal of an application are indicated with an *.

Allocation of Free Balances (DOPWIC)

The DOPWIC shall allocate, to the degree possible, all the funds available in an annual program year to projects submitted in that program year. If during the program year, additional funds become available, either from cost underruns or from additional allocations from the OPWC, the DOPWIC will distribute these funds to projects that remain on the current year's contingency list. If funds still are remaining, cost overrun requests will be considered.

Contingency projects will be considered in the order in which they are ranked in the DOPWIC final recommendation list. If the available monies will fully fund a contingency project, the DOPWIC will contact the applicant and instruct them to provide updated information to the OPWC.

If the funds available will not cover the entire cost of a contingency project's original request, the DOPWIC will review the contingency list and determine how the funds will be allocated. Furthermore, the DOPWIC would require the applicant to explain how they intend to use the partial funding, either in a written statement or by sending a representative to the meeting at which the issue will be considered.

Based on the information provided, the DOPWIC will decide whether awarding partial funding to a project will allow the applicant to accomplish what it intended when it first applied for OPWC funding. In no event does a partial award guarantee that the DOPWIC will provide supplemental funding for the project if additional funding becomes available, or if the applicant applies for the remainder of the project in an upcoming program year.

Cost overrun requests will be considered on a first-in basis and will be considered until the meeting at which the new program year staff recommendations are determined.

Any underrun money not spent at the time the staff makes its recommendations to the DOPWIC will be rolled into the next year's allocation.

Amended November 17, 1998

*** Allowability of Appurtenances (OPWC)**

It is the policy of the OPWC that under the SCIP or the LTIP program, funding of appurtenances and/or accessories to an infrastructure system be limited to projects that are primarily substantive improvements to the basic infrastructure facility and for which the appurtenances/accessories are genuinely needed for the proper and adequate functioning of the infrastructure system being financially assisted. Though the costs of certain appurtenances/accessories may be eligible for coverage with program funds, they will not be allowable projects when proposed for funding on a stand-alone basis. However, projects consisting of work necessary to meet the requirements of the Aid to Disabled Americans Act are eligible for funding on a stand-alone basis.

See Applicant's Share of the Project and Ineligible Costs

*** Americans with Disabilities Act (OPWC)**

Effective July 2001, state and local governments are required to apply minimum design standards when constructing and altering pedestrian facilities, though higher than minimum standards are encouraged when possible.

Design engineers and project managers should review required standards at the Ohio Department of Transportation website: <http://www.state.dot.oh.us/roadwayengineering>.

Effective: July 2002

*** Applicant's Share of the Project (OPWC)**

The subdivision, in calculating its contribution to a project, shall include only:

1. Labor, materials, and equipment that are integral to the construction activities involved in the project; and
2. Engineering services that are integral to the project and shall not include any of a subdivision's ongoing overhead expenses involved in carrying out its existing engineering services capacity.

See Allowability of Appurtenance and Ineligible Costs

*** Capital Improvements Report (OPWC)**

The Capital Improvement Report (CIR) Manual has been designed to give an applicant a comprehensive format for taking an inventory, performing a needs assessment and developing a five-year capital plan and is the standard methodology developed by the OPWC for preparing and submitting the CIR as required by Ohio Revised Code Section 164.06 (C).

The CIR Summary Form and Five-Year Capital Improvement Plan/Maintenance of Effort Form are required to be submitted to the OPWC by each subdivision as a condition of applying for funding. Larger communities with several departments requiring funding must consolidate their forms into one report.

The updated CIR forms must accompany applications for funding regardless if one was filed at an earlier date. Only one report is required if more than one application is submitted by a subdivision.

Where specific costs or inventory information is not readily available, communities are encouraged to use their best estimates based on their experience.

Cost Overruns (OPWC)

The OPWC will authorize payments only for work outlined in the project application and will authorize payments in excess of the specific costs indicated in that application if justified by the applicant.

All cost overruns associated with a project, whether for work covered by the application or otherwise, are the sole responsibility of the project applicant.

However, a project applicant, with the approval of the DOPWIC can apply to the Director of the OPWC to cover a substantial cost overrun. The applicant must demonstrate to the DOPWIC and OPWC's satisfaction that such funding is necessary for the completion of the project and that the cost overrun was the result of circumstances beyond the applicant's control and could not have been anticipated at the time of initial application.

Cost Overruns (DOPWIC)

All cost overruns associated with a project, whether for work covered by the application or otherwise, are the sole responsibility of the project applicant.

However, a project applicant, with the approval of the DOPWIC can apply to the Director of the OPWC or the Administrator of the SGCIC for supplemental financial assistance to cover a substantial cost overrun. The applicant must demonstrate to the DOPWIC and OPWC's satisfaction that such funding is necessary for the completion of the project and that the cost overrun was the result of circumstances beyond the applicant's control and which could not have been anticipated at the time of initial application.

Because the rules of the OPWC do not define the basis of how a district committee determines a substantial cost overrun, the DOPWIC has the authority to define its own policies regarding the applicant's request of the director for additional money.

All requests for supplemental funding will be contingent upon the availability of surplus funds in the district allocation.

Contingency Requirements

The OPWC requires that applicants add to the total project cost a contingency equal to no more than 10% of the construction costs. Applicants should ensure that the appropriate contingency has been added to the project cost estimate. If they are omitted by the applicant, the DOPWIC will add the contingency and notify the applicant. Thereafter, if the project is approved by the DOPWIC and the OPWC, the project will be guaranteed a reasonable "cushion" for cost overruns and, to a certain degree, applicants will be discouraged from inflating cost estimates in order to be on the safe side.

Requests for Supplemental Financial Assistance

Non-eligible Requests

The DOPWIC will not consider supplemental financial assistance requests for:

1. Cost overruns incurred during construction that were caused by engineering or design deficiencies and/or incomplete plan preparation;
2. Meeting a shortfall in funding from other sources (i.e. local, state or federal sources and/or private sector contributions);
3. Providing an additional “cushion” for possible unforeseen circumstances that might be encountered during construction; and
4. Cost overruns incurred as the result of contractor or project sponsor negligence or misfeasance.

Eligible Requests

1. Incurred during the design or engineering phase before the construction contract is let.
2. Requests for changing a project’s scope or to move funding from one project to another will be considered by the DOPWIC when no additional funds are requested and the work to be done is directly associated with the approved project.
3. Approval for supplemental financial assistance will be considered for overruns incurred during the construction phase of a project for the following reasons;
 - A. The unexpected relocation of underground utilities or structure;
 - B. To meet the requirements or standards of another public works agency with jurisdiction over the project or structure;
 - C. To cover the costs of conditions impossible to discover in the engineering phase;
 - D. To cover an Act of God (i.e. natural disaster) or an unexpected or uncontrollable event (force majeure)

In no event will the supplemental funds for a project exceed the proportion of SCIP/LTIP funds originally awarded to the project nor will the type of financial assistance differ from the original award. For example, if a project was awarded an LTIP grant for 50% of the total project cost, the supplemental financial assistance will be covered by LTIP for 50% of the cost overrun.

Procedure for Reviewing Requests

An eligible request for supplemental financial assistance or a project scope change must be submitted in writing to the DOPWIC District Liaison at least one week prior to a DOPWIC meeting for the request to be considered by the DOPWIC. The request must provide the following information:

- Name and description of the project;
- Total project cost and amount and disbursement ratio award;
- Cause of the overrun and the problems encountered; and
- Detailed breakdown of the costs associated with the overrun.

The DOPWIC staff will review all requests and make an initial determination on the eligibility of the request. This request will be forwarded to the DOPWIC for consideration at its next meeting. If the DOPWIC agrees that the cost overrun request is reasonable and that the project would not be completed without supplemental financial assistance, the applicant will be allowed to apply to the OPWC director.

*Adopted by the DOPWIC on March 9, 1955
Amended on September 25, 1997, May 19, 2005*

Cost Underruns (OPWC)

In the event of a cost underrun, savings from the underrun will be shared by the local subdivision and the DOPWIC, in the same proportion as each contributes to the project. This policy applies to projects approved after the Program Year 3.

See Allocation of Free Balances Policy

Design and Engineering Services for Township Road Improvements (OPWC)

A Board of Township Trustees shall order the county engineer to prepare plans and specifications for roadway improvements. The county engineer is solely responsible for that design.

Townships are prohibited from hiring consulting engineers to perform design and engineering services for township road improvements.

The OPWC will not accept a Request to Proceed for consulting engineering services from a township for a road improvement project and will not disburse any funds for consulting engineering accompanied by a letter from the county engineer indicating that the county engineer has hired that consulting engineer to perform the work.

ORC Section 164.15 allows a Board of Township Trustees to enter into a contract with the county engineer under which the board agrees to pay all or any part of the cost of engineering

services to be provided to or obtained for the township by the county engineer that are necessary for projects awarded by the SCIP or LTIP programs.

See ORC Section 5573.01

Disbursement Procedures (OPWC)

The OPWC will pay its share of total allowable projects costs based on the participation percentage contained in the project agreement.

Disbursement request approved by the OPWC will be paid at the percentage of State funding contained in the project agreement, unless otherwise requested by the subdivision.

Approved project costs, including prepaid engineering, may, at the option of the subdivision, be submitted for reimbursement by the OPWC at the participation percentage contained in the project agreement or credited to the project's local share.

The OPWC can only disburse funds for eligible project costs that are in the project's scope of work as defined in Appendix A of the project agreement. Changes to the scope of work, including significant change orders, are the sole responsibility of the subdivision unless advance written approval of the Commission has been received.

At no time during the life of the project will disbursement of OPWC funds exceed its proportional share of total allowable project costs submitted for approval by the OPWC.

Also see Cost Overruns (DOPWIC)

Domestic Steel Use Requirements (OPWC)

Domestic steel must be used in all public improvements supported in whole or in part by state capital funds; this includes all projects funded through the State Capital Improvements Program and the Local Transportation Improvement Program.

On March 29, 2001, Ohio Revised Code Sections 153.011 and 153.99 were amended to provide enforcement and civil penalties for the violation of the domestic steel use requirement.

Additionally, the following notice must be included in boldface type and capital letters in all bid notifications and specifications of any OPWC funded project for which bidding commences after March 29, 2001:

Domestic steel use requirements as specified in section 153.011 of the revised code apply to this project. Copies of section 153.011 of the revised code can be obtained from any of the offices of the department of administrative services.

Emergency Projects (OPWC)

The OPWC reserves \$2.5 million from each yearly SCIP bond sale for allocation to projects which, in the judgment of the Director of the OPWC, are necessary for the immediate preservation of the health, safety and welfare of the local subdivision.

Funds

Emergency assistance will only be in amounts that are based on curing the immediate problem that is posing the threat to public health and safety. Consideration will not be given to projects that would replace an entire infrastructure facility when only basic repairs to limited portions of the facility will satisfactorily take care of the emergency aspect of the situation. A larger, more comprehensive approach to upgrading the infrastructure system should be the subject of a proposal for funding at the district level from the district's allocation or through the Small Government Program.

Eligibility

It is the policy of the OPWC that the use of SCIP emergency funds is reserved for those projects that arise directly out of disaster-related situations, involve an immediate threat to public health and safety, and for which there is no alternative way of addressing the dilemma through local means.

In determining whether or not qualified emergency exists, the OPWC will consider the following factors:

1. The extent to which, if any, other existing infrastructure can be used by the applicant's residents in lieu of the infrastructure posing threat;
2. The capacity of the applicant to meet the emergency through the use of its own financial resources or through financial assistance programs operated by other federal, state, or local agencies;
3. The degree to which the applicant is responsible for having created the emergency itself through neglect, inadequate maintenance, or failure to plan adequately for the evolution of hazardous infrastructure conditions that could reasonably have been predicted.

Applying for Emergency Funds

Applications for emergency assistance are evaluated according to a number of criteria, including the following:

1. Nature of the problem:
 - Was it caused by an "act of nature" and is it catastrophic?
 - Are health and safety issues involved?
 - Is it related to any of the following: age, and deterioration, inadequate maintenance, lack of planning or neglect?

2. Status of alteration infrastructure:
 - Is other infrastructure available to compensate for the failed system? (For example, is there an alternate route around an unsafe bridge or road?)
 - Availability of other funding sources, which funding sources (federal, state, local, and private) have been contacted?
3. History
 - How long has the applicant been aware of the problem?
4. Fiscal Capacity
 - Does the applicant have a capital budget?
 - What is the applicant's capacity to borrow?
 - If applicable, what is the applicant's rate structure?
5. Project Schedule
 - When could construction start on this project?

The applicant should submit a standard OPWC application form and address the above items as comprehensively as possible and provide any supporting documentation deemed appropriate, such as detailed narrative descriptions, photos, maps, cost estimates, letters of support, etc.

Applications for emergency funds do not have to be submitted to the DOPWIC for approval. However, a copy of the application should be sent to the District Liaison for information purposes.

*** Eligible Project Costs/Disbursements (OPWC)**

The OPWC can only disburse funds for eligible project costs that are included in the project's scope of work as defined in Appendix A of the project agreement. Changes to the scope of work, including significant change orders, are the sole responsibility of the subdivision unless advance written approval of the DOPWIC and the OPWC has been received.

*** Engineer's Certified Cost Estimate (OPWC)**

Each project application must be accompanied by a formal detailed estimate of the project's cost. The estimate must bear the official seal and signature of a registered professional engineer certifying the accuracy of the dollar amounts contained in the estimate. The estimate may be based upon a tendered bid by a qualified contractor provided that the bid will remain in effect for at least forty-five (45) days following formal submission of the application by the district and provided that the bid was solicited in accordance with the requirements of the Ohio Revised Code and the Ohio Administrative Code.

No project application will be approved by the OPWC unless the applicant complies with this cost estimate requirement.

An example of a detailed cost estimate is located in Appendix C, Reference Materials.

Also see Allowability of Appurtenances, Applicant's Share of the Project, and Ineligible Costs

***Engineering Costs (OPWC)**

Engineering costs, as a percentage of construction costs, are closely reviewed. Justification for elevated engineering costs, over 20% of construction costs, will be required.

In addition, actual engineering costs incurred above the budget line item contained in the project agreement are the sole responsibility of the subdivision and will not be credited as part of the local subdivision contribution. Any request to amend the project budget for engineering services must be approved in advance by writing to the OPWC.

Also see Procurement of Engineering/Project Management Services

Execution of Agreement (OPWC)

Approved project agreements forwarded to the recipient subdivision for execution must be signed and returned to the OPWC within 45 calendar days of mailing.

Where additional time is required for local processing, a request must be made in writing to the OPWC stating the reasons for the delay in execution of the agreement.

Agreements that are not executed and returned to the OPWC in a timely manner will be withdrawn as approved projects and the funds will be returned to the District for reallocation.

***Farmland Preservation Review (OPWC)**

The Governor's Executive Order 98-11V "Ohio Farmland Protection Policy" requires state agencies, including the OPWC, to establish guidelines on how it will take the protection of productive agricultural land into account in their funding or permitting decision-making process.

Applicants submitting projects which potentially effect productive farmland should include in their application a statement evaluating the potential impact.

District Integrating Committees, during their review of projects submitted to them should also evaluate projects with potential impact on productive farmland and provide appropriate comment as part of their recommendation of the project to the OPWC.

The OPWC shall, as part of its review of projects recommended to it by district committees, based on the following criteria, evaluate every project classified as "new and expansion". If deemed to have a significant impact on productive farmland, the OPWC may disapprove the project.

To assist the OPWC in approving or disapproving projects with an impact on productive farmland, the applicant shall be required to provide the OPWC with an evaluation of the project's impact prepared by their respective county or regional planning agency.

The OPWC may consult with the Department of Agriculture's Office of Farmland Preservation in making its decision to approve or disapprove projects impacting productive farmland.

Farmland Preservation Review Criteria

1. The immediate impact the project will have on productive agriculture and grazing land related to land acquisition.
2. Indirect impact that will result in the loss of productive agricultural and grazing land from development related to the project.
3. Mitigation measures that could be implemented when alternative sites or locations are not feasible.

***Floodplain Management Permits (OPWC)**

Recent revisions to the Ohio Revised Code place responsibility on local subdivisions and the OPWC, including the DOPWIC, to assure that projects are in compliance with State of Ohio FLOOD DAMAGE REDUCTION STANDARDS prior to approval.

Ohio Revised Code Section 1521.14 (C) (1) requires that local subdivisions applying for funding demonstrate to the satisfaction of the OPWC that the project will comply with flood damage reduction standards. These requirements only apply to local subdivisions where floodplain areas have been identified pursuant to the National Flood Insurance Program.

Counties and municipal corporations, who are in compliance, with projects located within a designated 100 year flood plain must receive a Local Floodplain Permit from the local subdivision's Floodplain Administrator, usually the city or county building department or clerk's office. A Local Floodplain Permit must be issued before you begin construction on your project.

Counties and municipal corporations, who are not in compliance, must satisfy the National Flood Insurance Program regulations before a project located within a designated 100 year floodplain can begin. Contact the Ohio Department of Natural Resources, Division of Water, 1939 Fountain Square, Columbus, Ohio 43224 (614) 265-6750 for information about the National Flood Insurance Program requirements.

Home Rule Townships (OPWC)

Townships with a population in the unincorporated territory of at least 5,000 may, by one of two procedures provided for in ORC Section 504.01, adopt limited home rule status.

Townships, attaining home rule status, may:

- Construct, maintain, and finance sewer systems under certain circumstances.
- Contract with county sewer districts and regional water and sewer districts, as well as municipal corporations and private operators, to supply water and sewer services.
- Issue general obligation bonds for the costs of water supply facilities and sewer improvements.
- Hire an independent professional engineer in lieu of using the county engineer for specific road projects, after notifying, or obtaining the approval of the county engineer (ORC 5543.01 (B), 5543.09 (B), and 5573.01).

For the purposes of the SCIP and LTIP programs the costs of capital improvements associated with these expanded powers of home rule townships are eligible for funding by the OPWC.

***Ineligible Costs (OPWC)**

The following items are ineligible for funding:

1. Expenditures or proposed expenditures for aesthetic treatments, ornamentations, or adornments to infrastructure;
2. Expenditures or proposed expenditures for landscaping activities and improvements pertaining to infrastructure that goes beyond basic requirements of post-construction repairing, stabilizing, and reseeding of land surfaces.
3. The cost of planning or administrative services related to the review, listing, study, reporting, planning and prioritizing of capital improvement projects by a subdivision;
4. Maintenance projects that do not repair or replace infrastructure, only maintain it in a "state of good repair" by painting or cleaning.
5. Flood control project, or components.
6. Project components involving service laterals, tie-ins, and service connections if performed on private property. All work must be performed on public property and on publicly-owned infrastructure

See Allowability of Appurtenances Policy

Late Loan Payments

The OPWC's policy on late loan payments is intended to be flexible while maintaining the integrity of the SCIP Revolving Loan Fund.

Principal and interest payments, if applicable, are due each January 1st and July 1st following the earlier of estimated or actual completion date of the project for the duration of the loan.

The penalty, as provided in the loan agreement, is 8% per annum from the date of default until the date of payment. Exceptions will be considered only in extremely unusual cases and, then, on a case-by-case basis.

In accordance with Section 164.05 (C) of the Ohio Revised Code (ORC), payments required by the loan agreement which are not paid may be taken by the OPWC from funds to be apportioned to the local subdivision from the County Undivided Local Government Fund, pursuant to Section 5747.51 to 5747.53 of the ORC, and paid into the SCIP Revolving Loan Fund.

***Maintenance Projects (OPWC)**

Projects that do not repair or replace infrastructure but only maintain it in a "state of good repair" by painting or cleaning are not considered "capital improvement" as defined by the Revised Code.

***Multi-Community and Multi-District Projects (OPWC)**

Project applications involving the participation of two or more subdivisions or two or more districts must be accompanied by written assurances, signed by authorized agents or representatives of each subdivision or district, that the subdivisions or districts will cooperate fully with the applicant, including the execution of all needed legal actions, to ensure completion of the project as planned.

The specific scope of work each subdivision is responsible for and the financial commitment each subdivision is contributing toward the project must be clearly identified in the project application. One subdivision must be identified as the lead project manager with the DOPWIC and the OPWC.

An example of a letter of cooperation is located in Appendix B/Reference Materials.

Procurement of Engineering/Project Management Services

The Ohio Revised Code requires all public authorities to utilize a qualifications-based selection procedure in choosing engineering consultants when the estimated design fee is expected to exceed twenty-five thousand dollars. The pertinent provisions of this requirement may be found in ORC Section 153.65 to 153.71.

Additionally, the Ohio Association of Consulting Engineers has prepared a guideline on How to Comply with Ohio's Design Professional Selection Law which is available upon request from the OACE or the Commission.

It is the policy of the OPWC that contracts for professional services (engineering and project management) contain basic provisions so that stated objectives will be achieved in an efficient and economical manner, consistent with sound contracting principles at a fair and reasonable cost to the local government and which provide a fair and reasonable profit for the consulting firm.

The OPWC has adopted the following guidelines for all projects funded in whole or in part by the OPWC:

1. The OPWC **encourages** all recipients to evaluate competing professional engineers on the basis of their qualifications and experience by using a Request for Proposal (RFP), and to contract with the engineer judged most highly qualified for the project at hand, and at a fee that is fair and reasonable, based on the agreed upon scope of services.
2. Each subdivision must enter a project specific contract. This contract must be signed by both parties and must delineate the type of billing and payment method. All contracts for engineering/management services must contain the following general sections:
 - a. Scope of Service – a formal part of the contract that specifies exactly what the consultant will provide for the local government. The scope of services should be complete and specific. Under no circumstances should there be an “understanding” on the part of the local government or consultant that is not explicitly reflected in the scope of services. The scope of services should include such items as: the tasks to be performed, schedule for performance, deliverables (reports, systems, drawings, etc.), review procedures, and number of reports to be delivered.
 - b. Contracting Method – the methods for billing will vary depending upon the nature of the work to be performed, the preference of the local government and consultant, and/or federal, state, or local requirements. Generally, there are three basic types of contracts: Fixed Price, Time and Materials, or Cost Plus Fixed Fee. The contract must specify if one of these or some other type of contracting method was agreed to.
 - c. Contract Terms and Conditions – the contract must also include issues such as the contract period, key personnel, subcontracting provisions, penalties, change in scope, termination rights, method of payment and amendment provisions.

Townships requiring assistance for engineering and project management should, in accordance with the Ohio Revised Code, consult with their county engineer in the evaluation and performance of these services.

The OPWC will request from time to time evidence of compliance with these procedures. All local governments should be prepared to submit evidence (copy of professional contract) demonstrating compliance with these guidelines if requested by OPWC staff.

Failure on the part of the local government to follow these requirements and guidelines could result in the OPWC refusing to recognize or compensate for engineering costs incurred by the local subdivision on an OPWC funded project.

If you need any assistance on these matters, please contact your program representative at (614) 752-8117.

Additional Resource: *SELECTION AND USE OF ENGINEERING AND ARCHITECTURAL CONSULTANTS, Guidelines for Public Agencies; a publication of American Public Works Association; 1313 East 60th Street; Chicago, IL 60637-2881; (312) 667-2200. HOW TO COMPLY WITH OHIO'S DESIGN PROFESSIONAL SELECTION LAW, A Guideline for Public Authorities; a publication of Ohio Consulting Engineers Association; 1650 Lake Shore Drive, Suite 200; Columbus, OH 43204; (614) 487-8844*

Released: May 1996

Professional Design Services Removed From MBE Set Aside Program (OPWC)

The Minority Business Enterprise (MBE) percentage requirements of ORC Sections 123.151 (for construction) and Section 125.081 (for purchases of supplies and services) are no longer applied to the procurement of professional design services under ORC Section 153.65-71.

Accordingly, the value of professional design services (including engineering services) contained in project applications will no longer be considered in determining the MBE percentage requirements for contracts for construction or purchase of supplies or services.

Until further notice, submitted applications which contain professional design services (including engineering services) are not to be considered for set-aside, or awarded points under the MBE program.

Project Extension Policy (DOPWIC)

The DOPWIC has adopted a Project Extension Policy, which incorporates and expands on the OPWC Project Schedule Changes policy.

For project schedule changes that will delay the project start date (engineering or construction):

1. If the new start date is within the program year in which the funds were awarded:
 - a. One extension will be granted (per the OPWC policy). If additional schedule extensions are submitted, the DOPWIC will recommend to the Director of the OPWC that the project be terminated and the funds be reallocated to other district projects.

2. If the new start date will push the project start date into a future program year:
 - a. If no disbursements have been made on the project, the DOPWIC will recommend to the Director of the OPWC that the project be terminated and the funds reallocated.
 - b. If disbursements have been made for engineering on the project and the schedule extension will delay the start of construction until after the September of the next program year, the DOPWIC will determine on a case-by-case basis whether the project will be permitted to go forward. The DOPWIC will decide whether the project can go ahead as soon as possible or the applicant will be required to forfeit the construction funds and have them reallocated in the following program year.

Adopted by the DOPWIC on March 14, 1996

Project Schedule Changes (OPWC)

It is the subdivision's responsibility to notify the OPWC if the project schedule changes are due to timing of the execution of the project grant agreement, delays in engineering, bidding, or award of contracts; delays in coordinating with other agencies; or delays during construction.

Projects delayed for reasons which are beyond the control of the subdivision or could not be foreseen or anticipated may, at the discretion of the OPWC, receive one schedule extension. Projects with delayed schedules that lend themselves to a future funding year will be terminated.

Requests to amend the project schedule contained in the agreement may be made at any time by letter or with submission of a Request to Proceed which identifies a new project schedule.

If a request for change of the project schedule is not received by the estimated construction bidding date specified in the project agreement, the subdivision will be given 30 calendar days to request an extension. If a request is not received, or approved, the agreement will be terminated and the funds released to the district for allocation.

See Project Examination Policy and Project Schedule Dates

Project Schedule Dates (OPWC)

Applications must include an accurate Project Schedule (Section 4.0 of the OPWC Application for Financial Assistance) based on a project approval date of July 1, 2009.

Any projects not schedule to be substantially underway by June 30, 2011 will be considered not eligible by the OPWC.

Project schedule dates are closely monitored by the OPWC. Projects that do not submit a Request to Proceed to the OPWC within sixty (60) days after the bid closure date indicated in the application may be terminated if an acceptable request for extension of the project schedule is not received and approved by the OPWC.

Projects involving the Ohio Department of Transportation (ODOT) “sale” date as the bid closure date. All ODOT project schedules are confirmed through the ODOT central office in Columbus. ODOT projects with schedules that lend themselves to a future program year will be rejected by the OPWC.

Engineering, real estate, and right-of-way costs incurred (within one year) before the release and execution of project grant agreements can be reimbursed or credited to the projects local share by the OPWC when properly documented.

Project construction or procurement (non-engineering or real estate) activity can not begin before the project agreement has been executed and a Notice to Proceed has been issued by the OPWC. Any projects costs incurred for construction or procurement before a Notice to Proceed has been issued will be considered ineligible costs and will not be paid or reimbursed by the OPWC.

Public Improvements (OPWC)

All OPWC funded work must be owned and maintained by the local subdivision. Work not on public property or right-of-way, including water and sewer laterals, are ineligible for OPWC Financial Assistance.

***Repair or Replacement vs. New or Expanded Projects (OPWC)**

For SCIP funding, a project must be reviewed with regard to whether it is a repair or replacement of an existing infrastructure facility, in whole or in part an expansion of an existing infrastructure facility, or a new infrastructure facility.

Replacement projects can receive funding for up to 90% of the total project cost. New or expansion projects are eligible for funding for up to 50% of the total project cost. Projects that include aspects of both, replacing existing facilities at increased service capacities, figure somewhere in between.

For purposes of making this distinction, the OPWC has adopted the concept of design service capacity. Design service capacity takes into account the fact that larger physical dimensions do not necessarily define increased service capacity. The current service demands on the existing facility must be compared to the ability of the proposed improvement to perform service against an increased level of demand.

The following illustrations should be reviewed to determine how to classify a project as repair, expansion or new:

Example A – A proposal for SCIP funding involves the rebuilding of an existing two-lane bridge. The current facility was erected more than thirty (30) years ago and requires replacement. It is now sized at 10 feet per lane, with little or no shoulder space. It is located in an area that has experienced almost no growth in traffic volume or vehicle size/weight. Except for upgrading facility dimensions based on modern highway safety requirements, the bridge’s proposed specifications are such that it has been designed to service the same traffic loads, volume and weight, as the existing structure. Even though

the new structure will have wider lanes, this proposal would be considered as a replacement project and qualifies for up to 90% cost coverage with SCIP funding.

Example B – The proposal is a similar bridge situation, with the difference being that over the years industrial development has occurred in the immediate area and the new structure should be of a substantially increased load bearing capacity. It will still be two lanes, although the lane width will be increased using highway safety standards. To arrive at the maximum cost coverage allowed under SCIP, the professional engineer first has to estimate what it would cost to replace the bridge as if the conditions of Example A prevailed. Then, calculate an estimated cost for the more substantial structure. The cost estimate for the Example A bridge would serve as the basis for the proposal's replacement related costs and could be funded at the 90% level. The difference between the two estimates would serve as the basis for the proposal's expansion related costs and would be funded at the 50% rate. The final maximum rate coverage relative to the total project cost would be a combination of the two.

Example C – The proposal is to replace a deteriorated water supply distribution system in a section of an existing residential area. There is no vacant land left in the service area of the lines being replaced and there are no plans for more development in the area. Over the years, however, water consumption by the homeowners has been substantially more than the current line sizes were designed to handle safely and effectively. Consequently, the proposed design for the new distribution system brings the sizes and configurations up to date based on current standards and historic water consumption data for the service area. Because the increase in design service capacity in the new system, that is, the service area has not been expanded and the system has been sized in favor of accommodating additional or more intensive development, this proposal would qualify as a replacement project and could receive up to 90% funding.

Example D – The proposal is similar to Example C, with the exception of the lines being sized to accommodate the future extension of the system so as to allow for a new development in an additional 100 acres of currently vacant land. As with Example B, the professional engineer must prepare two separate cost estimates for this proposal. First, to reflect what it would cost to replace the current system, on an upgraded basis as that in Example C, and second for the system that will be constructed. The difference between the two is the proposal's expansion related cost.

***Replacement of Septic Systems and Water Wells (DOPWIC)**

For purposes of evaluating projects that involve the replacement of failing septic systems with sanitary sewers and water wells with waterlines, the DOPWIC will consider these projects as replacement projects, not as new infrastructure.

Right to Return Policy (DOPWIC)

The OPWC has stated that the primary purpose of SCIP and LTIP funds is to provide financial assistance to projects “that are of major consequences to the overall vitality and function of the district's infrastructure systems as well as that of the individual subdivisions. The SCIP and LTIP funds are used in conjunction with strategic capital improvement planning at both the subdivision and the district levels.”

The DOPWIC has incorporated the essential elements of its evaluation process into threshold criteria. Projects submitted for consideration should:

1. Preserve the functional integrity of the existing infrastructure;
2. Maintain the present capacity of the existing infrastructure system;
3. Improve health and safety;
4. Enhance economic development and quality of life; and
5. Use SCIP and LTIP funds prudently.

Furthermore, the DOPWIC reserves the right to return applications during the DOPWIC application evaluation process for the following reasons:

The Project

1. Consists solely of freestanding appurtenances. See Allowability of Appurtenances Policy in this section.
2. Will not be substantially underway by June 30, 2011. See *Project Schedule Dates* in this section.
3. Is not capable of maintaining an apposable project schedule. See *Project Schedule Dates and Project Extension Policy* in this section;
4. Costs indicated in the application include engineering or construction elements that are not part of the SCIP/LTIP project. For example: a project consisting only of the preparation of plans should not include the costs associated with construction in Section 1.0 of the OPWC Application for Financial Assistance;
5. Does not conform with the district-wide plans, objectives or priorities as determined by the DOPWIC or other regional and local infrastructure management agencies such as NOACA's Transportation Improvement Program (TIP) or the Cuyahoga County Engineer's Capital Improvement Program;
6. Is not listed on the subdivision's five-year capital improvement plan;
7. Local match or other sources of funding proposed for the project have not been identified;
8. If receiving federal or state funds, the project must be on the NOACA TIP "A" or "B" list;
9. For grant requests, does not have at least 10% of the total project cost funded by another source;
10. Does not have a minimum useful life of at least seven years. See Useful Life Requirement in this section;

11. A Local Debt Support project with a construction completion date after July 1, 2009.
12. Is considered a maintenance project as defined by the DOPWIC. The following definitions or maintenance and capital improvement have been adopted by the DOPWIC:
 - a. Roads – Maintenance improvements consist of crack sealing, shoot and chip, ditch cleaning, shoulder repair, sidewalk or driveway apron replacement, signalization, minor base repair, curb and gutter replacement, or minor resurfacing, such as asphalt overlay. Any other type of road improvement will be considered a capital improvement.
 - b. Bridges – Maintenance improvements are minor repairs to any structure to prolong the present life of the structure until a major rehabilitation or replacement can be completed. Any type of structural rehabilitation, replacement or deck replacement to increase the useful life or design capacity of the structure shall be considered a capital improvement.
 - c. Sanitary Sewer System – Cleaning of sewers, such as flushing of lines by sewer jets, or other minor repairs shall be considered maintenance improvements. Any other type of improvement to sanitary sewers shall be considered a capital improvement.
 - d. Storm Sewer System – Cleaning of sewers, such as flushing of lines by sewer jets, or other minor repairs shall be considered maintenance improvements. Any other type of improvement to storm water systems shall be considered a capital improvement.
 - e. Solid Waste – Proposals or projects which deal with the transportation or collection of materials from a generator shall be considered maintenance. Due to the evolving nature of this subject, any type of improvement which addresses the disposal of materials in a permanent manner shall be considered a capital improvement.
 - f. Wastewater Treatment System – Preventative maintenance projects shall be considered maintenance. Any other type of improvement to wastewater treatment systems, such as structural repair/rehabilitation to expand capacity or upgrade treatment levels shall be considered a capital improvement.
 - g. Water Supply – Repair of leaks in the supply system, repairs to house connections or the addition of house connections to the system shall be considered maintenance improvements. Any cleaning and relining, enlargement (by pipe size or expansion of the distribution system) or replacement to the supply system shall be considered a capital improvement.

Signage – Standardized Guidelines and Layout

Applications are not required to post signs at OPWC funded projects. However, if the applicant chooses to post a sign, the following standardized guidelines and layout must be used:

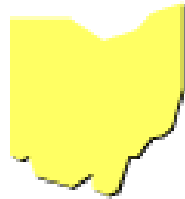
Guidelines

1. All OPWC projects using signage will follow the standardized layout, with the exception of projects jointly funded with other federal or state funding agencies which have separate signage requirements.
2. Reasonable signage costs will be considered an eligible expense and should be included under the “Other Project Expenses”, in Section 1.1 (e) of the “OPWC Application for Financial Assistance.”
3. To receive a disbursement for signage expense, the applicant must submit a photograph of the sign and a supporting invoice. Reimbursements will be based on the project’s applicable disbursement ratio.

Layout

1. The standardized layout is designed for a 8’ x 4’ sign divided into three sections;
 - A. Top Section: State of Ohio graphic screen with the “Ohio Public Works Commission” screened over.
 - B. Middle Section: Project name with the total project cost listed below.
 - C. Lower Section: Local project information such as state and local officials, contractors, consultants, or other information pertinent to the project.
2. Color Specifications:
 - A. State of Ohio Graphic: 10% screen of Pantone Matching System 548 dark blue.
 - B. Ohio Public Works Commission: Pantone Matching System 548 dark blue.
 - C. Project name, total project cost and local information: black should be used for the box around this information.

8FT



*THE OHIO PUBLIC WORKS
COMMISSION*

TOTAL PROJECT COST \$1,392,000.00
PROJECT NAME

**THIS AREA TO BE DESIGNATED FOR LOCAL
PROJECT INFORMATION**

Solid Waste Evaluation Policy (DOPWIC)

The DOPWIC, in order to assist the Cuyahoga County Solid Waste Management District in complying with the mandates of House Bill (HB) 592, will consider, in the following order priority, the following types of solid waste projects:

1. Transfer Stations – identified by The Solid Waste Management Policy Committee as existing, proposed or under construction.
2. Material Recovery Facilities – that process ferrous and non-ferrous metals, plastic resin, glass and newsprint.
3. Compost Facilities – Classes 2 and 3 which deal with yard waste only.
4. Landfills – that will enable the landfill to comply with the new standards set forth in HB 592.

To be eligible, a solid waste project must be a municipally owned and operated facility and the applicant must retain ownership and maintenance responsibilities. Any project dealing with the collection of solid waste, such as drop-off centers, packers, trucks or trailers will not be considered.

The guidelines and criteria for solid waste projects will be subjected to change as the priorities and policies of the Solid Waste Management Plan are revised.

Approved by the DOPWIC on January 23, 1992.

Stormwater Drainage (OPWC)

Projects involving open drainage systems which may have environmental considerations (sites with wet conditions during periods of dry weather) may require review and comment by the Ohio Department of Natural Resources. Projects which can be carried out through the Petition Ditch process will be evaluated on assessments and local effort in project funding. For more information, contact your OPWC Program Representative.

***Subdivision Codes**

Every subdivision eligible to receive assistance from the OPWC has been assigned a “Subdivision Code” for control purposes. This eight digit number must be indicated on the OPWC Application for Financial Assistance and the OPWC Capital Improvement Report Summary Form.

SUBDIVISION CODES	
BAY VILLAGE CITY	035-04416
BEACHWOOD CITY	035-04500
BEDFORD CITY	035-04878
BEDFORD HEIGHTS CITY	035-049200
BENTLEYVILLE VILLAGE	035-05550
BEREA CITY	035-05690
BRATENAHL VILLAGE	035-08336
BRECKSVILLE CITY	035-08364
BROADVIEW HEIGHTS CITY	035-09064
BROOK PARK CITY	035-09288
BROOKLYN CITY	035-09246
BROOKLYN HEIGHTS VILLAGE	035-09274
CHAGRIN FALLS TOWNSHIP	035-13372
CHAGRIN FALLS VILLAGE	035-13358
CLEVELAND CITY	035-16000
CLEVELAND HEIGHTS CITY	035-16014
CUYAHOGA COUNTY	035-00035
CUYAHOGA HEIGHTS VILLAGE	035-19806
EAST CLEVELAND CITY	035-23380
EUCLID CITY	035-25704
FAIRVIEW PARK CITY	035-26446
GARFIELD HEIGHTS CITY	035-29428
GATES MILLS VILLAGE	035-29498
GLENWILLOW VILLAGE	035-30632
HIGHLAND HEIGHTS CITY	035-35252
HIGHLAND HILLS VILLAGE	035-80976
HUNTING VALEEEY VILLAGE	035-36918
INDEPENDENCE CITY	035-37240
LAKESWOOD CITY	035-41664
LINNDALE VILLAGE	035-43928
LYNDHURST CITY	035-45556
MAPLE HEIGHTS CITY	035-47306
MAYFIELD HEIGHTS CITY	035-48482
MAYFIELD VILLAGE	035-48648
MIDDLEBURGH HEIGHTS CITY	035-49644
MORELAND HILLS VILLAGE	035-52052
NEWBURGH HEIGHTS VILLAGE	035-54250
NORTHEAST OHIO REGIONAL SEWER DISTRICT	035-00187
NORTH OLMSTED CITY	035-56882
NORTH RANDALL VILLAGE	035-56924
NORTH ROYALTON CITY	035-57008

OAKWOOD VILLAGE	035-57750
OLMSTED FALLS CITY	035-58422
OLMSTED TOWNSHIP	035-58408
ORANGE VILLAGE	035-58604
PARMA CITY	035-61000
PARMA HEIGHTS CITY	035-61028
PEPPER PIKE CITY	035-61686
RICHMOND HEIGHTS CITY	035-66894
ROCKY RIVER CITY	035-68056
SEVEN HILLS CITY	035-71416
SHAKER HEIGHTS CITY	035-71682
SOLON CITY	035-72928
SOUTH EUCLID CITY	035-73264
STRNGSVILLE CITY	035-75098
UNIVERSITY HEIGHTS CITY	035-78932
VALLEY VIEW VILLAGE	035-79268
WALTON HILLS VILLAGE	035-80738
WARRENSVILLE HEIGHTS CITY	035-80990
WESTLAKE CITY	035-83622
WOODMERE VILLAGE	035-86394

*** Useful Life Requirement (OPWC)**

No SCIP or LTIP project will be approved unless it will result in infrastructure with a minimum useful life of seven (7) years as determined by generally accepted engineering principles and practices. The OPWC will take into account both the specific climatic and other environmental conditions of the infrastructure's site as well as the infrastructure's full, anticipated design use loads.

A statement of the project's useful life bearing the official seal and signature of a registered professional engineer must accompany any application for OPWC financial assistance.

*** Work by Force Account (OPWC)**

Force account work is that portion of the project carried out by the local subdivision rather than being performed through the services of a contractor or consultant.

For OPWC projects:

Construction by force account must be approved in advance by the OPWC, either by being clearly indicated in the project application (Section 1.0) and noted on the engineer's estimate, or by a revised estimate submitted to the OPWC in lieu of a Contractor/Supplier Designation form prior to the commencement of work.

- The dollar value of construction by force account can not exceed that allowed by ORC Section 727.24.
- Force account project expenses can not exceed the engineer's estimate, unless approved by the OPWC in advance.
- Engineering and construction supervision by force account, where practicable, must be clearly indicated in the project application. Reimbursement of engineering and construction supervision costs may not exceed the estimate contained in the project application without prior written approval of the OPWC.
- Force account project expenses may be reimbursed to the extent of the amount of OPWC participation and/or participation ratio

SECTION SIX

FINANCIAL ASSISTANCE TERMS AND CONDITIONS

SCIP GRANT

Description – The SCIP grant is available for the repair, replacement, or expansion of existing infrastructure or the construction of new infrastructure.

Eligible Projects – Roads, bridges, culverts, water supply systems, wastewater systems, stormwater collection and solid waste disposal.

Coverage – Up to 90% of the total cost of a repair or replacement project and up to 50% of the total cost of a new or expansion project.

Conditions – For proposed projects only- no refunding or refinancing of existing indebtedness is permitted.

Full completion and drawdown of grant award within twenty-four months of either the Project Grant Agreement or the closing date of the latest bond issue associated with the project's financing.

LTIP GRANT

Description – The LTIP grant is available for the repair or replacement of existing roads and bridges.

Eligible Projects – Road and bridge projects only.

Coverage – Up to 100% of the total cost of repair or replacement LTIP project.

Conditions – For proposed projects only – no refunding or refinancing of existing indebtedness is permitted.

Full completion and drawdown of grant award within twenty-four months of either the Project Grant Agreement or the closing date of the latest bond issue associated with the project's financing.

SCIP and RLP ZERO PERCENT LOANS

Description – The SCIP and RLP Loans are “deep subsidy” loans. Their primary utility is to achieve affordable financing when “market rate” money is sufficient to meet this objective. Its cost of money is about 45% of market rate financing.

Eligible Projects – Projects otherwise available for OPWC grants.

Form – Below-market-rate-loan.

Loan Size – Minimum: No Limit; Maximum: No Limit

Coverage – Up to 100% of total eligible project cost.

Interest Rate – Zero percent, fixed for the life of loan.

Amortization – Five to twenty years, but not to exceed the certified useful life of the proposed facility being financed.

Repayment – No repayments, balloon payments, or deferred payments of principle or interest permitted.

Conditions – For proposed projects only – no refunding/refinancing of existing indebtedness permitted.

Features:

- OPWC loan application, administrative, or management fees. Interest expense shall not accrue on loan proceeds during the project's approved construction phase.
- By law, loan repayments are excluded from the State's 10-mil limit on subdivision debt service levels.
- One time option to refinance is available to avoid a default.
- Subdivision's share of its county's undivided local government fund shall be a source of repayment upon loan default.
- Repayment proceeds shall be returned to the Public Works District for further financing infrastructure needs within the district.

SCIP LOCAL DEBT SUPPORT

Description – Local Debt Support is used to pay for interest costs associated with a Loan or Bond/Note Issuance. THE OPWC may use its funds to “buy-down” the interest rate of another lender’s loan for capital improvements eligible under the State Capital Improvements Program. For example, the community may have obtained a loan from another public or private lender such as the Ohio Water Development Authority, or a private bank.

A second method is for the OPWC to provide a partial pledge for a local bond or note issuance. With both methods, OPWC assistance is used to pay construction period interest and/or the first year of interest expense following construction.

SCIP LOAN ASSISTANCE

Eligibility – For projects otherwise eligible for OPWC grants.

Form – Grant.

Coverage – Payment of Construction Period Interest plus the first year’s interest expense following construction.

Dollar Limit – Determined by eligible interest costs, no specific limit.

Terms – Disbursement of OPWC funds shall be on a reimbursement basis. Any additional terms will be communicated to the subdivision at time of approval.

Conditions -Subdivision must enact legislation authorizing the associated debt issuance prior to approval of OPWC assistance.

Project construction completion date cannot be after July 1, 2010.

For Loans: An official Loan Closing or verification that a Loan Closing will occur within 90 days after OPWC approval at which time all other funding sources must be guaranteed.

For Bond/Note Issues: Compliance with Ohio Uniform Bond Law (Ohio Revised Code (ORC) Chapter 133).

Favorable opinion from a nationally recognized bond counsel.

Anticipated revenues must be sufficient to fully retire debt.

Bond Issue, together with other fully committed resources, must be of sufficient amount to ensure project completion.

SCIP CREDIT ENHANCEMENT

Description – SCIP Credit Enhancement in a project, like loan assistance, is a one-time, up-front infusion of funds that contributes to a subdivision's ability to secure affordable debt from non-OPWC lenders. Specifically, it is paying the premium for a bond insurance policy that improves a subdivision's credit rating/bond rating and, consequently, the interest rate, relative to its issuance of General Obligation Bonds.

Eligibility – For a General Obligation Bond Issue used to finance one or more projects that are otherwise eligible for an OPWC grant.

Form – Grant.

Coverage – Up to fully funding of the cost of a standard private bond insurance policy that achieve an A or A+ rating on the associated bonds.

Dollar Limit – Even in combination with SCIP Loan Assistance funds, the dollar amount of this assistance shall not exceed 10% of the amount of the associated debt issue.

Terms – Transactions must be in harmony with state's own "tax-exempt" bond issues and requirements for the use of proceeds from such bonds. Disbursements of SCIP funds shall occur at the time required for their actual use in the subdivision's debt issuance. Any additional terms will be communicated to subdivision at time of approval.

Conditions – Subdivisions must enact legislation authorizing the associated debt issuance prior to approval of SCIP assistance.

- Bond closing to occur within 90 days after OPWC approval and at which time all other funding sources must be guaranteed.
- Compliance with Ohio Uniform Bond Law (ORC Chapter 133).
- Favorable opinion from a nationally recognized bond counsel.
- Anticipated revenues must be sufficient to fully retire debt.
- Bond Issue, together with other fully committed resources, must be of sufficient amount to ensure project completion.
- Project construction completion date cannot be after July 1, 2010.