

QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Administrative Office of the Courts**Report Quarter:** 2022-2 (April)**Print Date:** 03/15/2022

<u>Cabinet/Agency/Project Title</u>	<u>County</u>	<u>Initial Auth</u>	<u>Status</u>	<u>Constr % Compl</u>	<u>Contract Compl</u>	<u>Actual Subst</u>
Judicial Branch/AOC						
Barren County	Barren	2020-2022	Design/Phase A			
Bath County (Construction)	Bath	2018-2020	Design/Phase C			
Butler County	Butler	2020-2022	Design/Phase A			
Clinton County	Clinton	2020-2022	Design/Phase A			
Crittenden County	Crittenden	2020-2022	Design/Phase A			
Henry County (Renovation/Addition)	Henry	2014-2016	Complete/In Warranty	100	09/01/21	09/18/21
Jefferson County Hall of Justice (Renovation)	Jefferson	2018-2020	Cancelled			
Jessamine County	Jessamine	2020-2022	Design/Phase A			
Madison County (Renovation)	Madison	2020-2022	Design/Phase C			
Nicholas County	Nicholas	2014-2016	Complete/In Warranty	100	11/01/21	11/01/21
Oldham County (Renovation/Addition)	Oldham	2018-2020	Design/Phase C			
Scott County	Scott	2020-2022	Design/Phase A			

* indicates projects involving General Fund supported bonds or "state" cash (General Fund, Investment Income, Capital Construction Surplus, Contingency Fund, Emergency Fund, or Statewide Deferred Maintenance Fund).

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Reporting Agency: Finance and Administration Cabinet

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Education and Labor Cabinet/Education Dept						
* KSB Howser Hall Renovation	Jefferson	2016-2018	Complete/Not Closed Out	100	06/13/19	06/13/19
* KSB McDaniel/Scoggin Educational Building	Jefferson	2016-2018	Complete/Not Closed Out	100	09/02/18	09/02/18
* KSD High Voltage Electrical Service System	Boyle	CPBOC-9/01/17	Complete/Not Closed Out	100	10/30/18	10/30/18
* KSD New Elementary Building	Boyle	2016-2018	Complete/Not Closed Out	100	02/21/19	02/21/19
Education and Labor Cabinet/KY Educational Television						
KET FCC Repacking Project	Multi	CPBOC-8/01/17	Complete/Not Closed Out	100	04/26/19	04/26/19
* Transmitter and Repack	Multi	2018-2020	Complete/Not Closed Out	100	08/01/19	08/01/19
Addition to KET FCC Repacking Project - ancillary systems and equipment upgrades that the FCC program will not reimburse as well as replacement of microwave radios						
Energy & Environment Cabinet/Environmental Protection						
* Maxey Flats Cap	Fleming	2012-2014	Construction/Multiple Bid Packs			
Comments: Construction of the cap is complete. Periodic subsidence and erosion surveys are contracted to monitor the cap and drainages. Surveys are conducted in the Spring and Fall of each year.						
* State-Owned Dam Repair - Boltz Lake Dam	Grant	Pool	Awaiting Initiation by Agency			
* State-Owned Dam Repair - Bullock Pen Lake Dam	Multi	Pool	Complete/In Warranty	100	08/02/21	08/02/21
Comments: Contractor final payment on 1/31/22.						
* State-Owned Dam Repair - Clements Lake Dam	Rowan	Pool	Awaiting Initiation by Agency			
* State-Owned Dam Repair - Scenic Lake Dam	Henderson	Pool	Complete/In Warranty	100	01/23/22	03/02/22
Comments: Work is complete, now in close out documents stage, assessing liquidated damages						
* State-Owned Dam Repair - Willisburg Lake Dam	Washington	Pool	A/E Selection			
Comments: Plan to issue RFP for selecting AE for design in FY23						
Finance and Administration Cabinet/Facilities & Support Services						
* Air Handler Replacement and Repair - Central Lab	Franklin	2020-2022	In Construction	1	08/01/22	
Reallocation from Upgrade State Data Center Readiness (\$112,320) and Council of State Governments Building Complex (\$77,380)						
Comments: Equipment is on order.						

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Capitol Annex Exterior Repairs Authorization - House Bill 556 (2021 Regular Session)	Franklin	Other	Design/Phase B			
* Capitol Campus Upgrade	Franklin	2020-2022	Design/Phase A			
Capitol Campus Upgrade, Phase II Authorization - House Bill 556 (2021 Regular Session)	Franklin	Other	Pending Authorization			
* DFSS Maintenance Pool - 2016-18 - L&N Structural Repair Reported to CPBOC on 8/15/2017	Jefferson	Pool	Complete/Not Closed Out	100	08/31/19	07/31/19
* DFSS Maintenance Pool - 2018-20 - Central Lab Boiler Replacement Reported to CPBOC on 10/15/2019	Franklin	Pool	Complete/Not Closed Out	99	03/20/21	11/20/20
* DFSS Maintenance Pool - 2020-22 - Governor's Mansion Chiller and Water Line Reported to CPBOC on 7/30/2021 Comments: waiting chiller	Franklin	Pool	In Construction	85	06/30/22	
* DFSS Maintenance Pool - 2020-22 - Health Services Building, HVAC & Piping, Phase II Reported to CPBOC on 9/23/2021 Comments: Equipment manufacturing and delivery delays have created delays. Final alterations to contract are currently being determined for no cost Change Order to extend Substantial Completion Date.	Franklin	Pool	In Construction	5	04/18/22	
* DFSS Maintenance Pools - Halon System Replacement Reported to CPBOC on 11/19/2020 Comments: Multiple issues concerning final integrity testing have pushed final completion out. All testing is now complete and final documentation is being prepared.	Franklin	Pool	In Construction	99	01/10/22	
* Elevator Upgrades Phase 1	Multi	2020-2022	In Construction	35	10/31/22	
* Emergency Generator Repair or Replacement, COT/CHR Comments: Project complete	Franklin	2018-2020	Complete/In Warranty	100	05/15/21	05/15/21
* Fourth Floor Capitol Renovation	Franklin	2020-2022	Design/Phase A			
* HVAC Replacement - CHR Building Comments: Awaiting delivery of Liebert units for the Print shop. Manufacturing delays are likely to push substantial completion even further out.	Franklin	2016-2018	In Construction	99	05/09/22	
* HVAC Replacement and Repair COT Building Comments: Complications with final Electrical Inspection have created significant delays in final closeout. Primary project scope is complete.	Franklin	2020-2022	In Construction	99	01/21/22	

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* Install Energy Management System Controls	Multi	2014-2016	Construction/Multiple Bid Packs			
* L&N Building Security and Structural Upgrades	Jefferson	2018-2020	Construction/Multiple Bid Packs			
* Upgrade Capitol Mechanical and Electrical System, Phase I	Franklin	2018-2020	Design/Phase C			
* Upgrade L&N Building	Jefferson	2016-2018	Complete/Not Closed Out	100	08/31/19	07/31/19

General Government Cabinet/KY River Authority

Construct Lock and Dam 10	Multi	2016-2018	Complete/In Warranty	99	12/03/21	12/03/21
Comments: The punch list includes repair of the east closure cell damaged by the crane accident. River conditions dictate when the repair can be accomplished. Final completion extended to 4/1/22 for the repair.						
Design and Repair Dam 6	Woodford	2016-2018	Awaiting Initiation by Agency			
Design and Repair Dam 7	Jessamine	2016-2018	Awaiting Initiation by Agency			
Design and Repair Lock 5	Anderson	2020-2022	Awaiting Initiation by Agency			
Locks 2 and 3 Upper Guide Wall Repair	Multi	2020-2022	Design/Phase B			

General Government Cabinet/Military Affairs

* Armory Modernization and DMA Maintenance Pools - 2018-20 - DMA Lexington NGA Interior Upgrade Submitted as new project rather than reported as a pool allocation	Fayette	CPBOC-1/01/20	Complete/Not Closed Out	100	10/24/20	10/24/20
* Armory Modernization Pool - 2018-20 - DMA Leitchfield Readiness Center Assembly Hall Addition Reported to CPBOC on 10/15/2019	Grayson	Pool	Complete/In Warranty	100	03/15/21	03/15/21
Construct Industrial Building at Bluegrass Station Approved pursuant to KRS 45.763 Comments: Still waiting initiation	Fayette	2018-2020	Awaiting Initiation by Agency			
Construct Multi-purpose Building Bluegrass Station Approved pursuant to KRS 45.763 Comments: Still awaiting initiation	Fayette	2018-2020	Awaiting Initiation by Agency			
Construct Response Group Building KyANG Phase 1	Jefferson	2018-2020	In Construction	99	04/01/22	

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Construct Wendell H. Ford Regional Training Center Qualification Training Range Was not reauthorized in 2016-2018 budget and authorized as new project for 2018-2020	Muhlenberg	2018-2020	Cancelled			
* DMA Barbourville Readiness Center Latrine Upgrade	Knox	CPBOC-6/01/20	In Construction	50	06/20/22	
DMA Bluegrass Station Building 415 Modification	Fayette	CPBOC-7/01/20	Complete/Not Closed Out	100	03/08/21	03/08/21
* DMA Boone National Guard Center Emergency Operations Center Renovation	Franklin	CPBOC-8/01/19	Complete/Not Closed Out	100	08/21/20	09/22/20
* DMA Boone National Guard Center SEOC Window Replacement Project	Franklin	CPBOC-8/01/21	Awarding Contract			
DMA Construct Joint Force Headquarters Boone National Guard Center	Franklin	CPBOC-1/01/20	In Construction	17	08/28/23	
DMA Harold L. Disney Training Site Mobile Operations Urban Training Site Enhancement	Knox	CPBOC-8/01/20	Complete/In Warranty	100	12/24/21	12/24/21
DMA Indoor Firing Range, Boone Center Overseen by the Division of Real Properties	Franklin	CPBOC-2/01/18	Cancelled			
DMA Interior Renovation Wellman Armory - Boone National Guard Center	Franklin	CPBOC-10/01/17	Complete/Not Closed Out	100	04/29/19	04/29/19
DMA Jackson Readiness Center Interior Restoration	Breathitt	CPBOC-8/01/21	Design/Phase C			
DMA Kentucky Emergency Management Conditioned Storage/Multi-Purpose Building	Franklin	CPBOC-8/01/20	Cancelled			
DMA Murray Readiness Center Interior Restoration Project Comments: Agency plans to bid in May.	Calloway	CPBOC-8/01/21	Other			
DMA Records Holding Facility - Boone National Guard Center	Franklin	CPBOC-10/01/17	Complete/Not Closed Out	100	12/07/18	07/02/19
DMA Richmond Field Maintenance Shop No. 4 Bay Addition	Madison	CPBOC-9/01/16	Complete/Not Closed Out	100	06/19/17	08/04/17
* DMA Richmond Readiness Center Interior Modernization Comments: No changes	Madison	CPBOC-6/01/20	Complete/In Warranty	100	11/09/21	11/09/21
DMA Springfield Readiness Center Latrine Restoration	Washington	CPBOC-8/01/21	In Construction	17	07/14/22	

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DMA Unheated Storage and Paint Booth Combined Support Maintenance Shop	Madison	CPBOC-10/01/19	Complete/Closed Out	100	02/05/21	01/26/21
DMA Wendell H. Ford Regional Training Center 1103rd Military Police RC/Provost/Welcome Center	Muhlenberg	CPBOC-6/01/20	Complete/In Warranty	100	10/01/21	11/13/21
DMA Wendell H. Ford Regional Training Center Bridge	Muhlenberg	CPBOC-10/01/19	Complete/Not Closed Out	100	11/02/20	11/18/20
DMA Wendell H. Ford Regional Training Center Cypress Creek Restoration	Muhlenberg	CPBOC-8/01/19	Design/Phase C			
DMA Wendell H. Ford Regional Training Center Fire Station Addition	Muhlenberg	CPBOC-6/01/20	Complete/In Warranty	100	09/02/21	09/27/21
DMA Wendell H. Ford Regional Training Center Multipurpose Athletic Field	Muhlenberg	CPBOC-6/01/20	Complete/In Warranty	100	05/27/21	05/27/21
Install Solar Panels at Armories Statewide	Multi	2018-2020	Construction/Multiple Bid Packs			

Comments: BNGC MEDCOM Solar & Lighting is in design process

General Government Cabinet/Veterans' Affairs

* Construct Bowling Green Veterans Center	Warren	2020-2022	Awaiting Initiation by Agency			
* Construct Fourth State Veterans' Nursing Home	Hardin	2012-2014	Complete/Not Closed Out	100	04/21/17	04/20/17
* Design for Bowling Green Nursing Home Authorization - House Bill 24 (2020 Regular Session)	Warren	Other	Bidding			
Emergency Replacement Nurse Call System - Western KY Veterans' Center	Hopkins	CPBOC-11/01/20	In Construction	50	08/31/22	
Improve/Expand Pavement and Parking Areas	Multi	2020-2022	Complete/In Warranty	100	10/18/21	10/18/21
* Nurse Call System Comments: THVC 99.9% complete EKVC 75% No major issues.	Multi	2018-2020	In Construction	84	06/11/22	
Replace Cooling Tower - Eastern Kentucky Veterans Center	Perry	2020-2022	Design/Phase C			
Replace Steam Boiler - Thomson-Hood Veterans Center	Jessamine	2020-2022	Cancelled			

Health and Family Services Cabinet/Behavioral Health

* CHFS Maintenance Pools - Kentucky Correctional Psychiatric Center Roof Replacement	Oldham	Pool	In Construction	95	04/01/22	
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Reported to CPBOC on 5/18/2021 (allocations from 2018-20 and 2020-22 bond-funded maintenance pools)						
* CHFS Maintenance Pools - Western State Hospital - HVAC Repairs and Patient Safety Enhancements	Christian	Pool	In Construction	99	03/17/21	
Reported to CPBOC on 6/18/2019 (allocations from 2014-16, 2016-18, and 2018-20 bond-funded maintenance pools)						
Comments: Bathing suites floor and walls epoxy coating failed before project ever reached completion date. Work ongoing to replace failed coatings.						
* Electrical & Telecom Upgrade-Western State Hospital Phase II	Christian	2018-2020	Bidding			
* Electrical System Upgrade at Western State Hospital - Design	Christian	2012-2014	Design/Phase C			
* HVAC System Replacement - Hazelwood	Jefferson	2018-2020	Construction/Multiple Bid Packs			
Comments: Phase 1 is 99% complete Phase II Design is in Phase B						
* Oakwood Renovate/Replace Cottages - Phase II	Pulaski	2020-2022	Design/Phase C			
Comments: Pending finishing Phase 1 Construction						
* Renovate/Replace Cottages - Oakwood, Phase I	Pulaski	2018-2020	In Construction	99	03/04/22	
Comments: CO IS PENDING TO EXTEND SC DATE						
* Western State Hospital-Electrical Upgrade - Phase III	Christian	2020-2022	Design/Phase A			
* Western State Hospital-Electrical Upgrade-Phase I	Christian	2016-2018	Complete/Not Closed Out	100	03/01/21	04/26/19

Justice and Public Safety Cabinet/Corrections

* Corrections Maintenance Pool - 2016-18 - Reformatory Psychiatric Treatment Unit HVAC Replacement	Oldham	Pool	Planning			
Reported to CPBOC on 2/21/2017						
* Corrections Maintenance Pools - Green River Correctional Complex Security Control for Buildings	Muhlenberg	Pool	In Construction	1	01/13/22	
Reported to CPBOC on 8/19/2020 (allocations from 2018-20 and 2020-22 bond-funded maintenance pools)						
Comments: Significant issues with Contractor Submittals and shop drawings. No work has been performed on site to date.						
* Demolish and Repair Tower Kentucky State Reformatory	Oldham	2018-2020	Cancelled			

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Reallocation from Stabilization of Dorm 8 Kentucky State Reformatory (\$4.155 million) and Repair and Stabilize Tower Kentucky State Reformatory (\$3.716 million) \$4.2 million of the \$7.871 million in bond funds authorized was reallocated to Design Relocation of Corrections Medical Facility						
* Design of the Expansion of Little Sandy Correctional Complex	Elliott	2020-2022	Design/Phase C			
* Design Relocation of Corrections Medical Facility Reallocation from the Demolish and Repair Tower Kentucky State Reformatory (\$4,200,000) and Replace Perimeter Fence, Kentucky State Reformatory (\$2,800,000)	Oldham	2020-2022	Design/Phase B			
* Kentucky Correctional Institution for Women-Sewer Plant/Line Comments: Need temporary construction easement across private property to tie to MSD sewer system	Shelby	2016-2018	Design/Phase C			
* Repair and Stabilize Tower Kentucky State Reformatory \$3.716 million of the \$3.797 million in bond funds authorized was reallocated to Demolish & Repair Tower KSR	Oldham	2016-2018	Cancelled			
* Repair/Replace Roofs - Eastern Kentucky Correctional Complex	Morgan	2020-2022	In Construction	53	04/17/22	
* Replace Perimeter Fence, Kentucky State Reformatory \$2.8 million of the \$3.116 million in bond funds authorized was reallocated to Design Relocation of Corrections Medical Facility	Oldham	2018-2020	Cancelled			
* Stabilization of Dorm 8 Kentucky State Reformatory \$4.155 million in bond funds authorized was reallocated to Demolish and Repair Tower KSR	Oldham	2016-2018	Cancelled			
Justice and Public Safety Cabinet/Criminal Justice Training						
Bizzack Complex HVAC Repair/Replacement Comments: Final Phase is 25% complete.	Madison	2016-2018	Construction/Multiple Bid Packs			
Criminal Justice Training Maintenance Pool - 2020-22 - Schwendeman-Thompson HVAC & Bldng Sys Upgrade Reported to CPBOC on 9/23/2021 Comments: Some equipment delivery delays will likely extend contract. NO issues to date.	Madison	Pool	In Construction	25	05/13/22	
Funderburk Building HVAC Upgrade Comments: Final Phase is 25% complete.	Madison	2016-2018	Construction/Multiple Bid Packs			
Funderburk Building HVAC Upgrade Emergency	Madison	CPBOC-10/01/15	Complete/Not Closed Out	100	11/08/16	11/08/16

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Justice and Public Safety Cabinet/Secretary's Office						
* Medical Examiner Office - Renovation of Bingham Building	Jefferson	CPBOC-10/01/15	Complete/Not Closed Out	100	01/31/17	01/31/17
Postsecondary Education Cabinet/Eastern Kentucky University						
* Construct Science Building - Phase 2 and 3	Madison	2014-2016	Complete/Not Closed Out	100	10/25/17	08/17/17
Construct Student Athlete Support Facility Account will remain open until Renovate/Improve Athletics Facilities project is complete	Madison	2014-2016	Complete/Not Closed Out		04/30/19	04/30/19
Renovate/Improve Athletics Facilities	Madison	2014-2016	Complete/Not Closed Out	100	10/01/17	10/05/17
Postsecondary Education Cabinet/Kentucky State University						
Acquire Land/Campus Master Plan - 2020-2022	Franklin	2020-2022	Awaiting Initiation by Agency			
Center for Families and Children	Franklin	CPBOC-12/01/08	Complete/Not Closed Out	100	12/02/11	12/29/11
Construct New Residence Hall Approved pursuant to KRS 45.763 CPBOC approved development agreement on April 20, 2021 Comments: Managed by KSU	Franklin	2020-2022	Other			
Kentucky State University Old Federal Building Renovation, Phase I	Franklin	CPBOC-12/01/09	Complete/Not Closed Out	100	07/20/12	07/20/12
Mold Remediation and Mechanical Repairs - The Halls Comments: Original Project complete and Warranty Period has expired. There are still a few issues with fresh make up air. New Bid pack is being created to address the fresh make up air for the building.	Franklin	CPBOC-2/01/19	Complete/Not Closed Out	100	07/26/19	07/26/19
Renovate Atwood Agricultural Research Building	Franklin	2012-2014	Complete/Not Closed Out	100	09/21/20	09/21/20
Renovate Hunter Hall	Franklin	CPBOC-7/01/21	In Construction	60	09/01/22	
* Repair Boilers and Aging Distribution Lines Comments: Additional Scope Development is under review.	Franklin	2014-2016	Construction/Multiple Bid Packs			
Postsecondary Education Cabinet/KY Community and Technical College System						
Acquire and Improve Parking Lots - Jefferson CTC	Multi	2020-2022	Construction/Multiple Bid Packs			

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Const Advanced Technology Ctr. Phase II - Owensboro CTC	Daviess	2014-2016	Complete/Not Closed Out	100	11/15/17	02/08/18
* Construct Advanced Manufacturing Facility - Bluegrass CTC	Scott	2014-2016	Complete/Not Closed Out	100	12/28/17	12/28/17
Construct Ag Health & Career Tech - Hopkinsville CC Ph I	Christian	2014-2016	Complete/Not Closed Out	100	07/10/19	09/16/19
Construct Arts and Humanities Building - Somerset CC North	Pulaski	2014-2016	Planning			
Construct CPAT Center, State Fire and Rescue Training	Boone	2014-2016	Complete/Closed Out	100	11/14/18	11/14/18
Construct Fire Commission Five Story Training Drill Tower	Muhlenberg	2020-2022	Other			
Comments: Agency to rebid at later date						
Construct Fire Commission NRPC Classroom Building	Muhlenberg	2020-2022	Revising/Rebidding			
Construct Instructional Complex - Southcentral CTC	Warren	2014-2016	Complete/Not Closed Out	100	03/14/18	03/14/18
Construct National Responder Preparedness Center Parking Lot (Driving Course) - Fire Commission	Muhlenberg	2018-2020	Complete/Not Closed Out	100	01/20/21	01/04/21
Construct New Entrance - Leestown - Bluegrass CTC	Fayette	2016-2018	Complete/Not Closed Out	100	08/28/17	09/21/17
Construct State Fire Rescue Training Area 7 Building	Boone	2016-2018	Complete/Not Closed Out	100	11/14/18	11/14/18
Construct Technology Dr Campus Expansion-Ashland CTC	Carter	2018-2020	Awaiting Initiation by Agency			
Construct/Procure Transportation Center - Elizabethtown CTC	Hardin	2020-2022	Awaiting Initiation by Agency			
Design and Construct Newtown Campus, Phase I - Bluegrass CTC	Fayette	2012-2014	Complete/Not Closed Out	100	07/28/14	07/28/14
Expansion of Pikeville Campus - Big Sandy CTC	Pike	2014-2016	Planning			
KCTCS Property Acquisition Pool - 2020-22 - Fire Commission, Main Office/Area 15 CPAT & Training Ctr Reported to CPBOC on 9/16/2020	Bourbon	Pool	Awaiting Initiation by Agency			
Newtown Campus Expansion - Bluegrass CTC	Fayette	2014-2016	Complete/Not Closed Out	100	12/12/17	12/12/17

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Relocate Student Center - Henderson CC	Henderson	2018-2020	Complete/Closed Out	100	07/02/20	05/27/20
Renovate Advance Manufacturing & Construction Ctr-Hazard CTC	Perry	2020-2022	Design/Phase A			
Renovate Building A - Main Campus, SKYCTC	Warren	CPBOC-7/01/19	Cancelled			
Renovate Campus Wide Facilities - Henderson CC	Henderson	2014-2016	Complete/Closed Out	100	12/08/17	12/08/17
Renovate Dental Hygiene Clinic - Big Sandy CTC - Mayo Campus	Johnson	2018-2020	In Construction	1	08/22/22	
Renovate Industrial Education Building - Hazard CTC	Perry	2020-2022	Design/Phase A			
Renovate Instructional Space - Gateway CTC	Multi	2020-2022	Awaiting Initiation by Agency			
Renovate Newtown Campus North Buildings - Bluegrass CTC	Fayette	2020-2022	Design/Phase A			
Comments: No change						
Renovate Parking Lot and Sidewalks - West Ky CTC	McCracken	2020-2022	Awaiting Initiation by Agency			
Renovate Student Center Building - Elizabethtown CTC	Hardin	2016-2018	In Construction	5	02/14/23	
Replace HVAC System Phase I - Owensboro CTC	Daviess	2018-2020	Other			
Comments: On hold. Awaiting agency guidance.						
Site and Infrastructure Improvements - Somerset CC	Pulaski	2014-2016	Planning			
Upgrade Newtown Campus Buildings and Infrastructure - Bluegrass	Fayette	2016-2018	In Construction	99	04/01/22	
Comments: Extension of contract pending						
Upgrade Welding Shop - Big Sandy CTC - Mayo Campus	Johnson	2018-2020	Complete/In Warranty	100	07/17/21	07/17/21
* Workforce Development Construction Pool - Constr. Adv. Manuf. Ctr. - Bluegrass CTC, Danville	Boyle	Pool	Complete/Not Closed Out	100	03/09/21	01/26/21
\$2.736 million bond funded Workforce Development Construction Pool allocation with use of \$5 million in restricted funds authorized in HB 200; pool allocation reported to CPBOC on 8/21/2018.						
* Workforce Development Construction Pool - Constr. Adv. Manuf. Ctr. - Jefferson CTC, Downtown	Jefferson	Pool	Complete/Not Closed Out	100	09/30/21	09/30/21
Match for \$15.2 million bond funded Workforce Development Construction Pool allocation was approved by CPBOC on 9/19/2017.						
Workforce Development Construction Pool - Constr. Community Intergenerational Ctr. -Hazard CTC, Lees	Breathitt	2014-2016	Complete/Not Closed Out	100	12/28/19	10/09/19

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\$2 million for the design portion was authorized in HB 235 as a KCTCS BuildSmart Investment for Kentucky Competitiveness project. Match for \$2.88 million bond funded Workforce Development Construction Pool allocation was approved by CPBOC on 9/19/2017.						
Workforce Development Construction Pool - Renovate Leestown Campus - Bluegrass CTC	Fayette	2016-2018	Pending Authorization			
\$3.04 million bond funded Workforce Development Construction Pool allocation with use of \$2.935 million of the \$6 million in restricted funds authorized in HB 303; pool allocation reported to CPBOC on 2/20/2018. Comments: still pending UA initiating						
* Workforce Development Construction Pool - Renovate/ Equip Manufacturing Labs - West Kentucky CTC	McCracken	Pool	Complete/Not Closed Out	100	11/30/18	11/30/18
\$3.04 million bond funded Workforce Development Construction Pool allocation was reported to CPBOC on 9/19/2017.						
* Workforce Development Construction Pool - Renovate/ Equip Manufacturing Labs -Owensboro CTC, Downtwn	Daviess	Pool	Complete/Not Closed Out	100	04/12/19	04/12/19
Match for \$2.858 million bond funded Workforce Development Construction Pool allocation was approved by CPBOC on 9/19/2017.						
* Workforce Development Construction Pool - Welding Facility Renov./Training Lab Addit. - Hopkinsville	Christian	Pool	Complete/Not Closed Out	100	09/11/20	09/11/20
The \$1.6 million restricted funds authorization in HB 303 will not be used for the \$321,180 restricted funds match. Match for \$2.353 million bond funded Workforce Development Construction Pool allocation was approved by CPBOC as a scope increase on 2/20/18.						

Tourism, Arts & Heritage Cabinet/Fish & Wildlife Resources

Camp Currie Dining Hall Construction	Marshall	2016-2018	Complete/Not Closed Out	100	05/01/18	05/25/18
FILO Office Space	Franklin	2016-2018	Complete/Not Closed Out	100	03/01/18	04/26/18
FILO Stream Mitigation Projects Pool - Bender Hollow	Lincoln	Pool	Design/Phase A			
Reported to CPBOC on 10/21/2021						
FILO Stream Mitigation Projects Pool - Big Farm	Bath	Pool	Complete/In Warranty	100	02/08/22	02/08/22
Reported to CPBOC on 9/20/2016						
FILO Stream Mitigation Projects Pool - Big Rivers Wetland	Multi	Pool	Design/Phase A			
Reported to CPBOC on 10/21/2021						
FILO Stream Mitigation Projects Pool - Blue Spring Creek	Trigg	Pool	In Construction	43	02/09/23	
Reported to CPBOC on 4/14/2020						

QUARTERLY CAPITAL PROJECTS STATUS REPORT

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FILO Stream Mitigation Projects Pool - Burnett Branch Reported to CPBOC on 10/21/2021	Multi	Pool	Design/Phase C			
FILO Stream Mitigation Projects Pool - Burnett Branch Will be reported to committee after design phase Land Acquisition from Kentucky Heritage Land Conservation Fund (partnership with KDOW Wild Rivers program) reported to the committee on 11/15/2011	Multi	Pool	Design/Phase C			
FILO Stream Mitigation Projects Pool - Crow Creek Reported to CPBOC on 9/23/2021	Clinton	Pool	Design/Phase A			
FILO Stream Mitigation Projects Pool - East Fork Indian Creek Repair Reported to CPBOC on 9/23/2021 - Addition to Completed FILO-East Fork Indian River Project (C40N)	Menifee	Pool	Complete/In Warranty	100	03/01/22	03/01/22
FILO Stream Mitigation Projects Pool - Goose Creek Reported to CPBOC on 4/18/2017 Comments: This project will be in a biological/Stream function monitoring period for 5 years	Casey	Pool	Complete/Not Closed Out	100	06/26/20	03/01/20
FILO Stream Mitigation Projects Pool - Horse Mill	Morgan	Pool	Design/Phase A			
FILO Stream Mitigation Projects Pool - Mabry Wildlife Management Area 2 Design Build Combination of Laurel Creek Gorge #2, Laurel Creek Gorge (Smith), and Mart Whitt Fork projects Laurel Creek Gorge #2 and Mart Whitt Fork reported to committee on 7/18/2017	Elliott	Pool	In Construction	75	11/01/22	
FILO Stream Mitigation Projects Pool - Minor's Creek Reported to CPBOC on 10/17/2017	Multi	Pool	Complete/Not Closed Out	100	04/09/19	04/09/19
FILO Stream Mitigation Projects Pool - Morgan County Extension Wetland Reported to CPBOC on 10/21/2021	Morgan	Pool	Design/Phase A			
FILO Stream Mitigation Projects Pool - Northern Kentucky Middle Creek I Reported to CPBOC on 1/18/2022	Boone	Pool	Design/Phase A			
FILO Stream Mitigation Projects Pool - Northern Kentucky Middle Creek II Reported to CPBOC on 10/21/2021	Boone	Pool	Design/Phase A			

QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Finance and Administration Cabinet**Report Quarter:** 2022-2 (April)**Print Date:** 03/24/2022

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FILO Stream Mitigation Projects Pool - Northern Kentucky Middle Creek III Reported to CPBOC on 10/21/2021	Boone	Pool	Design/Phase A			
FILO Stream Mitigation Projects Pool - Rich Wildlife Management Area - Red Oak Creek Reported to CPBOC on 6/19/2018	Owen	Pool	Complete/Not Closed Out	100	03/01/19	03/01/19
FILO Stream Mitigation Projects Pool - Rock Lick Will be reported to committee after design phase	Fleming	Pool	Design/Phase A			
FILO Stream Mitigation Projects Pool - Ross Creek Land Acquisition and Construction Reported to CPBOC on 2/19/2013 and 5/19/2020	Multi	Pool	Complete/Not Closed Out	100	06/01/20	06/01/20
FILO Stream Mitigation Projects Pool - Ross Creek III, Lee County Will be reported to committee after design phase	Lee	Pool	Awaiting Initiation by Agency			
FILO Stream Mitigation Projects Pool - Stream Restoration Otter Creek Reported to CPBOC on 10/21/2021	Meade	Pool	Design/Phase A			
FILO Stream Mitigation Projects Pool - Whites Creek Reported to CPBOC on 10/21/2021	Boyd	Pool	Design/Phase C			
FILO Stream Mitigation Projects Pool - Wolf Run Jefferson County Memorial Forest Reported to CPBOC on 10/21/2021	Jefferson	Pool	Design/Phase A			

Tourism, Arts & Heritage Cabinet/KY Center for the Arts

* KCA - Barrel Vault Roof and Ceiling Repairs	Jefferson	CPBOC-3/01/18	Cancelled			
KCA - Fire Damage Restoration	Jefferson	CPBOC-9/01/18	Complete/Not Closed Out		03/10/20	03/10/20

Tourism, Arts & Heritage Cabinet/Parks

Fort Boonesborough - Parkwide - Flood Reconstruction	Madison	CPBOC-7/01/21	In Construction	90	04/01/22	
* HB 268 and KDP Maintenance (2018-20) Pools - Barren River Lodge Exterior Repairs and Reroof Reported to CPBOC on 1/21/2020	Barren	Pool	Complete/Not Closed Out	100	10/27/20	10/27/20

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* HB 268 and KDP Maintenance (2018-20) Pools - General Burnside Campground Improvements Reported to CPBOC on 4/14/2020	Pulaski	Pool	Complete/Not Closed Out	100	11/27/20	11/27/20
* HB 268 Pool - Water and Sewer Upgrades - West Reported to CPBOC on 5/18/2021 Comments: Preparing bid documents for water system improvements at Lake Barkley SRP and sewer system improvements at Lake Barkley and Kentucky Dam Village SRPs. Discussing MOAs with utilities to receive park sewers.	Multi	Pool	Design/Phase C			
* Kentucky Infrastructure Authority Water and Sewer Project - Taylorsville Lake Sewer System Impr. \$796,000 Infrastructure Revolving Loan Program (Fund B) loan approved by CPBOC on 2/20/2018, with \$60,000 general fund allocation (appropriation increase) approved by CPBOC on 4/13/2018 from the House Bill 10 (2016 Regular Session) Parks Renovations and Repairs pool Comments: Waiting for agency to close account.	Spencer	Pool	Other			
* Upgrade Guest Accommodations	Multi	2014-2016	Construction/Multiple Bid Packs			

Tourism, Arts & Heritage Cabinet/State Fair Board

* Agricultural Development Board - Cardinal Stadium Demolition (Kentucky Exposition Center) Reported to CPBOC on 8/21/2018	Jefferson	Pool	Complete/Not Closed Out	100	07/29/22	07/29/22
* Agricultural Development Board - Deferred Maintenance and Renovation (Kentucky Exposition Center) Comments: Managed by agency	Jefferson	Pool	Other			
* Agricultural Development Board - Entry Gate Remodel (Kentucky Exposition Center)	Jefferson	Pool	Construction/Multiple Bid Packs			
* Agricultural Development Board - Freedom Hall Make-Up Ring Reported to CPBOC on 8/27/2019	Jefferson	Pool	Complete/Not Closed Out	100	02/01/22	02/01/22
* Freedom Hall & Associated Areas - Hail Damage	Jefferson	CPBOC-3/01/14	Complete/Closed Out	100	11/30/15	11/30/15
* Freedom Hall Sewer Line Replacement Comments: Construction complete.	Jefferson	2014-2016	Complete/Not Closed Out	100	08/24/17	08/24/17
* Kentucky Exposition Center Roof Repair	Jefferson	2016-2018	Complete/Not Closed Out	100	03/24/17	03/24/17

QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Finance and Administration Cabinet**Report Quarter:** 2022-2 (April)**Print Date:** 03/24/2022

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Kentucky International Convention Center - Concessionaire Kitchen Buildout	Jefferson	CPBOC-7/01/18	Complete/Closed Out	100	11/15/18	11/15/18
* Ky International Convention Center Renovation and Expansion	Jefferson	2014-2016	Complete/Not Closed Out	100	11/01/18	11/01/18
* Ky International Convention Center Roof Replacement	Jefferson	2018-2020	Complete/Not Closed Out	100	03/10/20	03/10/20
* Prestonia Grounds and Infrastructure Improvements	Jefferson	2020-2022	Construction/Multiple Bid Packs			
South Wing & Associated Areas - Hail Damage (Kentucky Exposition Center)	Jefferson	CPBOC-11/01/15	Complete/Not Closed Out	100	03/24/17	03/24/17

Transportation Cabinet/Department of Highways

* Transportation Warehouse Facility Renovation or Replacement	Franklin	2020-2022	In Construction	84	04/08/22	
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Transportation Cabinet/Gen Admin & Support (Transp)

* Bullitt County Welcome Center	Bullitt	CPBOC-10/01/19	Complete/Not Closed Out	100	05/25/20	05/25/20
* Construct Ballard County Maintenance Facility and Salt Storage Structure	Ballard	2012-2014	Design/Phase C			
* Construct Casey County Maintenance Facility	Casey	2020-2022	In Construction	57	01/04/22	
Comments: Material deliveries delaying project. New Substantial Completion date anticipated in April.						
* Construct Clay County District 11 Office	Clay	2018-2020	Planning			
Reallocation from Construct Manchester (D-11) District Office (\$7.445 million)						
* Construct Crittenden County Maintenance Facility and Salt Storage Structure	Crittenden	2018-2020	Complete/Not Closed Out	100	09/11/20	09/11/20
Was not reauthorized in 2016-2018 budget and authorized as new project for 2018-2020						
* Construct Henderson County Maintenance Facility and Salt Storage Structure	Henderson	2012-2014	Complete/Not Closed Out	100	07/15/18	07/02/18
* Construct Hopkins County Maintenance Facility and Salt Storage Structure	Hopkins	2018-2020	Revising/Rebidding			
* Construct Manchester (D-11) District Office	Clay	2014-2016	Cancelled			
\$6.6 million (2014-2016) and \$845,000 (2016-2018) from the road fund was reallocated to Construct Clay County District 11 Office						

QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Finance and Administration Cabinet**Report Quarter:** 2022-2 (April)**Print Date:** 03/24/2022

<u>Cabinet/Agency/Project Title</u>	<u>County</u>	<u>Initial Auth</u>	<u>Status</u>	<u>Constr % Compl</u>	<u>Contract Compl</u>	<u>Actual Subst</u>
* Construct Muhlenberg County Maintenance Facility and Salt Storage Structure	Muhlenberg	2012-2014	Complete/Not Closed Out		07/08/18	07/05/18
* Construct Nicholas County Maintenance/Salt Structure	Nicholas	2020-2022	In Construction	97	04/29/22	
* Construct Whitley County Maintenance/Salt Structure \$1.5 million from the road fund was reallocated to	Whitley	2020-2022	Awaiting Initiation by Agency Design District 6 Office and Materials Lab			
* Design District 6 Office and Materials Lab	Kenton	2020-2022	Design/Phase B			
Hart County Rest Area	Hart	CPBOC-1/01/17	Complete/Not Closed Out	100	06/23/17	06/23/17
* Simpson County Welcome Center	Simpson	CPBOC-9/01/19	Complete/Not Closed Out	100	12/08/20	12/01/20
* Whitley County Welcome Center	Whitley	CPBOC-9/01/19	Complete/Closed Out	100	12/04/20	12/04/20

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QUARTERLY CAPITAL PROJECTS STATUS REPORT - SUPPLEMENT

Reporting Agency: Finance and Administration Cabinet

Report Quarter: 2022-2 (April)

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<u>Cabinet/Agency/Project Title</u>	<u>Scheduled Closeout</u>	<u>Account Balance</u>	<u>Explanation - Why has the account not been closed?</u>
Education and Labor Cabinet/Education Dept			
* KSB Howser Hall Renovation	07/13/20	\$27,683.70	In process of being closed out
* KSB McDaniel/Scoggin Educational Building	10/02/19	\$20,195.40	Small purchase is encumbered. This will be paid and project closed out by 4/30/22
* KSD High Voltage Electrical Service System	11/30/19	\$12,527.78	Waiting for agency to close account.
* KSD New Elementary Building	03/21/20	\$61,694.97	Waiting for agency to close account.
Education and Labor Cabinet/KY Educational Television			
KET FCC Repacking Project	05/26/20	\$5,770,972.92	Waiting for agency to close account.
* Transmitter and Repack	09/01/20	\$432,969.45	Waiting for agency to close account.
Finance and Administration Cabinet/Facilities & Support Services			
* DFSS Maintenance Pool - 2016-18 - L&N Structural Repair	08/31/20	\$544,644.63	Agency is reviewing potential additional work that may be accomplished.
* DFSS Maintenance Pool - 2018-20 - Central Lab Boiler Replacement	12/20/21	\$78,411.59	Awaiting final as built and closeout drawings and final billing from the Consultant
* Upgrade L&N Building	08/31/20	\$544,644.63	Agency is reviewing potential additional work that may be accomplished.
General Government Cabinet/Military Affairs			
* Armory Modernization and DMA Maintenance Pools - 2018-20 - DMA Lexington NGA Interior Upgrade	11/24/21	\$40,787.00	Will request Agency Close
DMA Bluegrass Station Building 415 Modification	04/08/22	\$34,000.00	Will request UA close project
* DMA Boone National Guard Center Emergency Operations Center Renovation	10/22/21	\$34,737.98	Waiting for agency to close account.
DMA Interior Renovation Wellman Armory - Boone National Guard Center	05/29/20	\$112,925.06	Awaiting agency closure
DMA Records Holding Facility - Boone National Guard Center	08/02/20	\$109,457.22	Awaiting agency closure
DMA Richmond Field Maintenance Shop No. 4 Bay Addition	09/04/18	\$78,241.00	will request UA closeout
DMA Wendell H. Ford Regional Training Center Bridge	12/18/21	\$44,299.99	Awaiting agency
General Government Cabinet/Veterans' Affairs			
* Construct Fourth State Veterans' Nursing Home	05/20/18	\$3,552,557.73	Waiting for agency to close account

QUARTERLY CAPITAL PROJECTS STATUS REPORT - SUPPLEMENT

Reporting Agency: Finance and Administration Cabinet

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<u>Cabinet/Agency/Project Title</u>	<u>Scheduled Closeout</u>	<u>Account Balance</u>	<u>Explanation - Why has the account not been closed?</u>
Health and Family Services Cabinet/Behavioral Health			
* Western State Hospital-Electrical Upgrade-Phase I	05/26/20	\$20,161.22	Waiting for agency to close account
Justice and Public Safety Cabinet/Criminal Justice Training			
Funderburk Building HVAC Upgrade Emergency	12/08/17	\$26,700.00	Final tower balancing that was delayed due to other projects should be able to occur in the next 30-45days then invoice can be processed and fund closed.
Justice and Public Safety Cabinet/Secretary's Office			
* Medical Examiner Office - Renovation of Bingham Building	02/28/18	\$27,070.94	Waiting for agency to close account.
Postsecondary Education Cabinet/Eastern Kentucky University			
* Construct Science Building - Phase 2 and 3	09/17/18	\$25,543,523.62	Waiting for agency to close account
Construct Student Athlete Support Facility	05/30/20	\$7,053,094.60	Waiting for agency to close account
Renovate/Improve Athletics Facilities	11/05/18	\$1,007,758.91	Waiting for agency to close account.
Postsecondary Education Cabinet/Kentucky State University			
Center for Families and Children	01/29/13	\$1.00	UA owes General Fund money so can't close
Kentucky State University Old Federal Building Renovation, Phase I	08/20/13	\$5,250.00	Will request UA close
Mold Remediation and Mechanical Repairs - The Halls	08/26/20	\$32,812.56	New Bid pack is being created to address the fresh make up air for the building.
Renovate Atwood Agricultural Research Building	10/21/21	\$27,655.93	Awaiting agency Closure
Postsecondary Education Cabinet/KY Community and Technical College System			
Const Advanced Technology Ctr. Phase II - Owensboro CTC	03/08/19	\$56,583.66	Awaiting agency
* Construct Advanced Manufacturing Facility - Bluegrass CTC	01/28/19	\$101,000.00	Will request UA closeout
Construct Ag Health & Career Tech - Hopkinsville CC Ph I	10/16/20	\$607,399.95	Awaiting agency
Construct Instructional Complex - Southcentral CTC	04/14/19	\$36,227.38	Construct Instructional Complex - Southcentral CTC
Construct National Responder Preparedness Center Parking Lot (Driving Course) - Fire Commission	02/04/22	\$831,109.14	Awaiting agency
Construct New Entrance - Leestown - Bluegrass CTC	10/21/18	\$168,000.00	Will request UA closeout
Construct State Fire Rescue Training Area 7 Building	12/14/19	\$171,601.76	Agency is reviewing potential additional work that may be accomplished.

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<u>Cabinet/Agency/Project Title</u>	<u>Scheduled Closeout</u>	<u>Account Balance</u>	<u>Explanation - Why has the account not been closed?</u>
Design and Construct Newtown Campus, Phase I - Bluegrass CTC	08/28/15	\$1.00	will request UA closeout
Newtown Campus Expansion - Bluegrass CTC	01/12/19	\$24,665.73	will request UA closeout
* Workforce Development Construction Pool - Constr. Adv. Manuf. Ctr. - Bluegrass CTC, Danville	02/26/22	\$10,000.00	Will request UA to closeout
* Workforce Development Construction Pool - Constr. Adv. Manuf. Ctr. - Jefferson CTC, Downtown	10/30/22	\$5,269,892.49	Agency is reviewing potential additional work that may be accomplished.
Workforce Development Construction Pool - Constr. Community Intergenerational Ctr. -Hazard CTC, Lees	11/09/20	\$9,583.00	Will request UA to close
* Workforce Development Construction Pool - Renovate/ Equip Manufacturing Labs - West Kentucky CTC	12/30/19	\$131,221.62	Awaiting agency
* Workforce Development Construction Pool - Renovate/ Equip Manufacturing Labs -Owensboro CTC, Downtwn	05/12/20	\$42,013.51	Awaiting agency
* Workforce Development Construction Pool - Welding Facility Renov./Training Lab Addit. - Hopkinsville	10/11/21	\$395,471.71	Awaiting agency
Tourism, Arts & Heritage Cabinet/Fish & Wildlife Resources			
Camp Currie Dining Hall Construction	06/25/19	\$320,871.77	Awaiting agency
FILO Office Space	05/26/19	\$34,864.95	Waiting for agency to close account.
FILO Stream Mitigation Projects Pool - Goose Creek	04/01/21	\$5,616.60	This project will be in a biological/Stream function monitoring period for 5 years
FILO Stream Mitigation Projects Pool - Minor's Creek	05/09/20	\$72,937.30	This project will be in a biological/Stream function monitoring period for 5 years
FILO Stream Mitigation Projects Pool - Rich Wildlife Management Area - Red Oak Creek	04/01/20	\$619,148.33	This project will be in a biological/Stream function monitoring period for 5 years
FILO Stream Mitigation Projects Pool - Ross Creek	07/01/21	\$286,121.04	This project will be in a biological/Stream function monitoring period for 5 years
Tourism, Arts & Heritage Cabinet/KY Center for the Arts			
KCA - Fire Damage Restoration	04/10/21	\$2,405,808.98	Agency is reviewing potential additional work that may be accomplished.
Tourism, Arts & Heritage Cabinet/Parks			
* HB 268 and KDP Maintenance (2018-20) Pools - Barren River Lodge Exterior Repairs and Reroof	11/27/21	\$17,624.84	Waiting for agency to close account.
* HB 268 and KDP Maintenance (2018-20) Pools - General Burnside Campground Improvements	12/27/21	\$22,001.12	Making final payments to AEs

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<u>Cabinet/Agency/Project Title</u>	<u>Scheduled Closeout</u>	<u>Account Balance</u>	<u>Explanation - Why has the account not been closed?</u>
Tourism, Arts & Heritage Cabinet/State Fair Board			
* Agricultural Development Board - Cardinal Stadium Demolition (Kentucky Exposition Center)	08/29/23	\$9,623.12	Agency is completing additional scope of electrical work.
* Agricultural Development Board - Freedom Hall Make-Up Ring	03/01/23	\$3,143.46	Waiting on Agency to close.
* Freedom Hall Sewer Line Replacement	09/24/18	\$317,180.20	Agency determining how to spend remaining funds
* Kentucky Exposition Center Roof Repair	04/24/18	\$2,721.69	Agency is in process of closing account.
* Ky International Convention Center Renovation and Expansion	12/01/19	\$256,085.81	Waiting for agency to close account
* Ky International Convention Center Roof Replacement	04/10/21	\$503,596.36	Agency is reviewing potential additional work that may be accomplished.
South Wing & Associated Areas - Hail Damage (Kentucky Exposition Center)	04/24/18	\$2,721.69	Agency is in process of closing account.
Transportation Cabinet/Gen Admin & Support (Transp)			
* Bullitt County Welcome Center	06/25/21	\$13,842.76	Agency is reviewing potential additional work that may be accomplished.
* Construct Crittenden County Maintenance Facility and Salt Storage Structure	10/11/21	\$100,246.65	Awaiting agency
* Construct Henderson County Maintenance Facility and Salt Storage Structure	08/02/19	\$1,808.89	Awaiting agency
* Construct Muhlenberg County Maintenance Facility and Salt Storage Structure	08/05/19	\$1,808.89	Awaiting agency
Hart County Rest Area	07/23/18	\$9,773.83	Waiting for agency to close account.
* Simpson County Welcome Center	01/01/22	\$45,064.09	Awaiting agency

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QUARTERLY CAPITAL PROJECTS STATUS REPORT

Reporting Agency: Eastern Kentucky University

Report Quarter: 2022-2 (April)

Print Date: 03/15/2022

Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
Postsecondary Education Cabinet/Eastern Kentucky University						
Academic Computing Pool	Madison	2020-2022	Other			
Comments: This project will upgrade the computing equipment and capabilities in central academic computing. Upgrades are initiated on a continuous cycle as advancements in technology occurs.						
Administrative Computing Pool	Madison	2020-2022	Other			
Comments: This pool supports the necessary equipment, hardware and software to serve the Administrative Computing function of the University.						
Campus Data Network Pool	Madison	2020-2022	Other			
Comments: This pool will support new hardware for communication, safety and security service delivery.						
Campus Infrastructure Upgrade	Madison	2020-2022	Awaiting Initiation by Agency			
Approved pursuant to KRS 45.763						
Commonwealth Hall Partial Repurposing and Renovation	Madison	2020-2022	Awaiting Initiation by Agency			
Construct Alumni and Welcome Center	Madison	2020-2022	Awaiting Initiation by Agency			
* Construct Aviation/Aerospace Instructional Facility	Madison	2020-2022	Awaiting Initiation by Agency			
Construct Regional Health Facility	Madison	2020-2022	Awaiting Initiation by Agency			
Construct Student Health Center	Madison	2020-2022	Awaiting Initiation by Agency			
Construct Student Life Facilities	Madison	2016-2018	In Construction	93	03/31/22	
Demolish Building Pool	Madison	2020-2022	Awaiting Initiation by Agency			
Improve Campus Pedestrian, Parking and Transport	Madison	2018-2020	Awaiting Initiation by Agency			
Innovation and Commercialization Pool	Madison	2020-2022	Awaiting Initiation by Agency			
Miscellaneous Maintenance Pool - 2020-2022	Madison	2020-2022	Awaiting Initiation by Agency			
Natural Areas Improvement Pool	Madison	2020-2022	Awaiting Initiation by Agency			
Property Acquisitions Pool	Madison	2020-2022	Awaiting Initiation by Agency			
Approved pursuant to KRS 45.763						
Renovate Mechanical Systems Pool	Madison	2020-2022	Awaiting Initiation by Agency			
Repair/Replace Infrastructure/Building System Pool	Madison	2020-2022	Awaiting Initiation by Agency			
Replace and Renovate Student Housing	Madison	2020-2022	Awaiting Initiation by Agency			
Approved pursuant to KRS 45.763						

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<u>Cabinet/Agency/Project Title</u>	<u>County</u>	<u>Initial Auth</u>	<u>Status</u>	<u>Constr % Compl</u>	<u>Contract Compl</u>	<u>Actual Subst</u>
Residence Hall Renovation Pool	Madison	2020-2022	Awaiting Initiation by Agency			
Steam Line Upgrades Approved pursuant to KRS 45.763	Madison	2020-2022	Awaiting Initiation by Agency			
University Services Space	Madison	2020-2022	In Construction	89	03/31/22	
Upgrade and Improve Residence Halls	Madison	2020-2022	Awaiting Initiation by Agency			
Upgrade/Improve Athletics Facilities/Fields Pool Approved pursuant to KRS 45.763	Madison	2020-2022	Awaiting Initiation by Agency			

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QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Morehead State University**Report Quarter:** 2022-2 (April)**Print Date:** 03/24/2022

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Postsecondary Education Cabinet/Morehead State University						
Capital Renewal and Maintenance Pool - Auxiliary	Rowan	2020-2022	Awaiting Initiation by Agency			
Comply with ADA - Auxiliary	Rowan	2020-2022	Awaiting Initiation by Agency			
Construct New Residence Hall	Rowan	2020-2022	Awaiting Initiation by Agency			
Construct New Volleyball Facility - Phase 2	Rowan	2020-2022	Awaiting Initiation by Agency			
Renovate Alumni Tower Ground Floor	Rowan	2020-2022	Awaiting Initiation by Agency			
Renovate Cartmell Residence Hall	Rowan	2016-2018	Awaiting Initiation by Agency			
Replace Exterior Precast Panels - Nunn Hall	Rowan	2020-2022	Awaiting Initiation by Agency			
Replace Turf on Jacobs Field	Rowan	2020-2022	Awaiting Initiation by Agency			

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QUARTERLY CAPITAL PROJECTS STATUS REPORT

Reporting Agency: Murray State University

Report Quarter: 2022-2 (April)

Print Date: 03/17/2022

Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
Postsecondary Education Cabinet/Murray State University						
Acquire Agriculture Research Farm Land	Calloway	2020-2022	Awaiting Initiation by Agency			
Acquire Property	Calloway	2020-2022	Awaiting Initiation by Agency			
* Construct New Breathitt Veterinary Center	Christian	2014-2016	Complete/Not Closed Out	100	06/18/16	09/06/16
Construct Residential Housing	Calloway	2020-2022	Awaiting Initiation by Agency			
Approved pursuant to KRS 45.763						
P3 project delivery method reported to CPBOC on 10/21/2021						
* Construct/Complete New Science Complex - Final Phase	Calloway	2014-2016	Complete/Not Closed Out	100	10/03/16	06/20/17
Construct/Renovate Alternate Dining Facility	Calloway	2020-2022	Awaiting Initiation by Agency			
Approved pursuant to KRS 45.763						
P3 project delivery method reported to CPBOC on 10/21/2021						
Historic Building Preservation Pool	Calloway	2020-2022	Multiple Subprojects			
Sub-projects:						
Historic Building Preservation Pool (Sub-project: Carr Hall HVAC)						
Historic Building Preservation Pool (Sub-project: Curris Center Interior Refresh)						
Historic Building Preservation Pool (Sub-project: Lovett Phase II Renovations)						
Historic Building Preservation Pool (Sub-project: Racer Arena HVAC)						
Historic Building Preservation Pool (Sub-project: Waterfield HVAC Phase II)						
Historic Building Preservation Pool (Sub-project: Wrather Hall Auditorium Renovations)						
Historic Building Preservation Pool (Sub-project: Carr Hall HVAC)	Calloway	2020-2022	Design/Phase C			
Historic Building Preservation Pool (Sub-project: Curris Center Interior Refresh)	Calloway	2020-2022	Design/Phase C			
Historic Building Preservation Pool (Sub-project: Lovett Phase II Renovations)	Calloway	2020-2022	In Construction	25	08/01/22	
Historic Building Preservation Pool (Sub-project: Racer Arena HVAC)	Calloway	2020-2022	Design/Phase C			
Historic Building Preservation Pool (Sub-project: Waterfield HVAC Phase II)	Calloway	2020-2022	Design/Phase C			
Historic Building Preservation Pool (Sub-project: Wrather Hall Auditorium Renovations)	Calloway	2020-2022	Awarding Contract			

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Install CFSB Center Generator	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate Lovett Auditorium - HVAC and Electrical Repairs	Calloway	CPBOC-12/01/20	Complete/In Warranty	100	09/26/21	09/29/21
Renovate Residence Hall Electrical System In lieu of agency bonds, MSU is authorized to enter into a public-private partnership, built-to-suit, or lease-purchase not to exceed the authorized amount. This authorization includes the authorization under KRS 45.763 and 45A.077.	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate Residence Hall Electrical System - LTF Approved pursuant to KRS 45.763	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate Residence Hall HVAC System In lieu of agency bonds, MSU is authorized to enter into a public-private partnership, built-to-suit, or lease-purchase not to exceed the authorized amount. This authorization includes the authorization under KRS 45.763 and 45A.077.	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate Residence Hall HVAC System - LTF Approved pursuant to KRS 45.763	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate Residence Hall Interior In lieu of agency bonds, MSU is authorized to enter into a public-private partnership, built-to-suit, or lease-purchase not to exceed the authorized amount. This authorization includes the authorization under KRS 45.763 and 45A.077.	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate Residence Hall Interior - LTF Approved pursuant to KRS 45.763	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate Residence Hall or Replace - LTF Approved pursuant to KRS 45.763	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate Winslow Cafeteria	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovate/Replace Residence Hall In lieu of agency bonds, MSU is authorized to enter into a public-private partnership, built-to-suit, or lease-purchase not to exceed the authorized amount. This authorization includes the authorization under KRS 45.763 and 45A.077. P3 project delivery method reported to CPBOC on 10/21/2021	Calloway	2020-2022	Awaiting Initiation by Agency			
Renovation of Blackburn Science Building	Calloway	CPBOC-3/01/19	Complete/In Warranty	100	04/22/21	04/29/21
Replace Campus Comm Infrastructure (Fiber Ring)	Calloway	2020-2022	In Construction	6	06/30/22	
Replace CFSB Center Seating	Calloway	2020-2022	Awaiting Initiation by Agency			
Replace Residence Hall Domestic Water Piping In lieu of agency bonds, MSU is authorized to enter into a public-private partnership, built-to-suit, or lease-purchase not to exceed the authorized amount. This authorization includes the authorization under KRS 45.763 and 45A.077.	Calloway	2020-2022	Awaiting Initiation by Agency			
Upgrade Campus Network	Calloway	2016-2018	In Construction	90	06/30/22	

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Upgrade Campus Phone System	Calloway	2016-2018	In Construction	90	06/30/22	

* indicates projects involving General Fund supported bonds or "state" cash (General Fund, Investment Income, Capital Construction Surplus, Contingency Fund, Emergency Fund, or Statewide Deferred Maintenance Fund).

QUARTERLY CAPITAL PROJECTS STATUS REPORT - SUPPLEMENT

Reporting Agency: Murray State University

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<u>Cabinet/Agency/Project Title</u>	<u>Scheduled</u>		
	<u>Closeout</u>	<u>Account Balance</u>	<u>Explanation - Why has the account not been closed?</u>
Postsecondary Education Cabinet/Murray State University			
* Construct New Breathitt Veterinary Center	10/06/17	\$1,282,992.91	Plan to create a sub project to construct a storage building on property for maintenance equipment.
* Construct/Complete New Science Complex - Final Phase	07/20/18	\$1.00	Project is in the process of closing.

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QUARTERLY CAPITAL PROJECTS STATUS REPORT

Reporting Agency: Northern Kentucky University

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Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
Postsecondary Education Cabinet/Northern Kentucky University						
Acquire Land/Master Plan 2010-2012 Approved pursuant to KRS 45.763 2011 - \$2.5 million in agency bond proceeds for 26 parcels of land, primarily single family homes, included in Board-approved land acquisition and Master Plan Land acquisition area, to be acquired over many years, is outlined in 2009 Master Plan	Campbell	2010-2012	Planning			
Construct Mixed-Use Facility with Student Housing Approved pursuant to KRS 45.763 Sub-projects: Construct Mixed-Use Facility with Student Housing (Sub-project: Phase I - North Side) - Complete/Closed Out Construct Mixed-Use Facility with Student Housing (Sub-project: Phase II - South Side)	Campbell	2016-2018	Multiple Subprojects			
Construct Mixed-Use Facility with Student Housing (Sub-project: Phase II - South Side) Mixed-use development of 20-30,000 square feet of full-service and casual restaurant and retail tenants, a 100-110 room hotel, 150-200 market rate apartments, parking and office space	Campbell	2016-2018	Planning			
Construct Research/Innovation Building Approved pursuant to KRS 45.763	Campbell	2018-2020	Awaiting Initiation by Agency			
Construct/Acquire New Residence Hall 2016-2018 Sub-projects: Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Callahan Hall Renovation Phase I) Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Callahan Hall Renovation Phase II) Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Commonwealth Hall Renovation) - Complete/Closed Out Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Construct New Residence Hall) Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Kentucky Hall Renovation) - Complete/Closed Out Construct/Acquire New Residence Hall 2016-2018 (Sub-project: KY/CW/Univ. Suites Roof Replacements) Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Norse Hall Exterior Repairs) - Complete/Closed Out Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Norse Hall Renovations) Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Univ. Suites Cooling Tower Replacement) Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Univ. Suites Exterior Façade Repairs) Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Woodcrest Apartments Stair Replacement) - Cancelled	Campbell	2016-2018	Multiple Subprojects			
Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Callahan Hall Renovation Phase I)	Campbell	2016-2018	In Construction	99	03/31/22	
Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Callahan Hall Renovation Phase II)	Campbell	2016-2018	Design/Phase A			
Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Construct New Residence Hall)	Campbell	2016-2018	Complete/In Warranty	100	07/20/21	08/13/21

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CM at-Risk project delivery method reported to CPBOC on 11/20/2018						
Construct/Acquire New Residence Hall 2016-2018 (Sub-project: KY/CW/Univ. Suites Roof Replacements)	Campbell	2016-2018	Design/Phase C			
Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Norse Hall Renovations)	Campbell	2016-2018	In Construction	65	07/16/22	
Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Univ. Suites Cooling Tower Replacement)	Campbell	2016-2018	In Construction	10	07/01/22	
Construct/Acquire New Residence Hall 2016-2018 (Sub-project: Univ. Suites Exterior Façade Repairs)	Campbell	2016-2018	Bidding			
Enhance Student Union Sub-project: Enhance Student Union (Sub-project: Food Service Renovations) Enhance Student Union (Sub-project: Replace SU Ballroom AV/IT) - Complete/Closed Out	Campbell	2020-2022	Multiple Subprojects			
Enhance Student Union (Sub-project: Food Service Renovations)	Campbell	2020-2022	Complete/In Warranty	100	08/01/21	08/01/21
Expand/Renovate Soccer Stadium	Campbell	2020-2022	Awaiting Initiation by Agency			
Reconstruct West Side Parking	Campbell	2018-2020	Awaiting Initiation by Agency			
Renew E&G Building Systems Projects Pool	Campbell	2020-2022	Awaiting Initiation by Agency			
Renew/Renovate Fine Arts Center Phase II	Campbell	2020-2022	Awaiting Initiation by Agency			
Renew/Renovate Nunn Hall	Campbell	2020-2022	Awaiting Initiation by Agency			
Renew/Renovate Steely Library	Campbell	2020-2022	Awaiting Initiation by Agency			
Renovate Brown Building	Campbell	2020-2022	In Construction	55	06/30/22	
Renovate Residence Halls	Campbell	2020-2022	Awaiting Initiation by Agency			
Renovate/Construct Campbell Hall Approved pursuant to KRS 45.763	Campbell	2020-2022	Awaiting Initiation by Agency			
Renovate/Expand Baseball Field	Campbell	2018-2020	Awaiting Initiation by Agency			
Renovate/Expand Business Academic Building	Campbell	2020-2022	Awaiting Initiation by Agency			
Renovate/Expand Civic Center Building	Campbell	2020-2022	Awaiting Initiation by Agency			
Replace Event Center Technology Approved pursuant to KRS 45.763	Campbell	2020-2022	Awaiting Initiation by Agency			

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Replace Underground Utility Infrastructure	Campbell	2020-2022	Awaiting Initiation by Agency			
Upgrade Admin/IT Infrastructure Pool Approved pursuant to KRS 45.763	Campbell	2020-2022	Awaiting Initiation by Agency			

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Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
Postsecondary Education Cabinet/University of Kentucky						
Acquire Data Center Hardware - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire Information Technology Systems	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire Land	Multi	2020-2022	Multiple Subprojects			
Sub-project:						
Acquire Land (Sub-project: CAFE Land Purchase) - 6/19/2020 - FCR 7 (prior authorization) - Complete/Closed Out						
Acquire Land (Sub-project: 612 - 620 South Broadway) - 12/15/2020 - FCR 11						
Acquire Land (Sub-project: Chesney Properties) - 12/14/2021 - FCR 12						
Acquire Land (Sub-project: 612 - 620 South Broadway)	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire Land (Sub-project: Chesney Properties)	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire Medical Facility 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire Medical Facility 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire Telemedicine/Virtual ICU 6/21/2019 - FCR 14	Fayette	2018-2020	In Construction	95	12/30/22	
Acquire Telemedicine/Virtual ICU - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Improve Clinical/Administrative Facility 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Improve Clinical/Administrative Facility 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Improve Elevator Systems	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Improve Elevator Systems - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Improve Golf Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Renovate Administrative Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Renovate Clinical Research Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Renovate Housing Approved pursuant to KRS 45.763 Alpha Gamma Delta - 4/30/2019 - FCR 13	Fayette	2018-2020	Complete/In Warranty	100	03/05/21	03/05/21
Acquire/Renovate Housing Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
Acquire/Upgrade IT System - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			

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Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
ADA Compliance Pool	Fayette	2020-2022	Awaiting Initiation by Agency			
Clinical Information System	Fayette	2016-2018	In Construction	95	06/30/22	
Sub-projects:						
Clinical Information System (Sub-project: Surgery and Anesthesia E.H.R. Implementation) - 8/02/2017 - 18 IT 05 - Complete/Closed Out						
Clinical Information System (Sub-project: Telemetry Hardware and Software for Chandler) - 9/22/2016 - 17 E 06						
Clinical Information System (Sub-project: Telemetry Hardware and Software for Chandler)	Fayette	2016-2018	In Construction	88	06/30/22	
Construct Agriculture Federal Research Facility I	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Agriculture Federal Research Facility II	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Agriculture Research Facility 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Agriculture Research Facility 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Agriculture Research Facility 2	Woodford	2018-2020	In Construction	56	08/16/22	
Poultry Research Facility Relocation - 12/11/2018 - FCR 10						
CM at-Risk project delivery method reported to CPBOC on 2/19/2019						
Use of \$354,000 in federal funds reported to CPBOC on 12/15/2021						
Construct Ambulatory Facility - UK HealthCare	Fayette	2020-2022	Planning			
Cancer Treatment Center/Ambulatory Surgery Center - 5/4/2021 - FCR 12						
Construct Beam Institute 1	Fayette	2020-2022	Combined Authorities			
6/19/2020 - FCR 9						
Construct Beam Institute 2	Fayette	2020-2022	Combined Authorities			
Construct Maturation Building - 5/04/2021 - FCR 10						
Use of private funds reported to CPBOC on 5/18/2021						
Construct Beam Institute I and II (combined auth)	Fayette	2020-2022	Awaiting Initiation by Agency			
Authorizations for the following projects have been combined (2/18/2022 - FCR 13) and will be reported to CPBOC:						
Construct Beam Institute 1 (Still Building) - \$10 million in restricted funds						
Construct Beam Institute 2 (Maturation Building) - \$10 million in restricted funds (use of \$125,000 in private funds reported to CPBOC on 5/18/2021)						
Projects were bid together on November 9, 2021 - \$9.525 million combined revised scope						
Sub-projects:						
Construct Beam Institute I and II (combined auth) (Sub-project: Maturation Building)						
Construct Beam Institute I and II (combined auth) (Sub-project: Still Building)						

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Construct Beam Institute I and II (combined auth) (Sub-project: Maturation Building)	Fayette	2020-2022	Bidding			
Construct Beam Institute I and II (combined auth) (Sub-project: Still Building)	Fayette	2020-2022	Bidding			
Construct Childcare Center Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Clinical/Administrative Facility 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Clinical/Administrative Facility 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct College of Medicine Building Design Phase - 5/4/2021 - FCR 13	Fayette	2020-2022	Design/Phase A			
Construct Cross Country Trail	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Data Center - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Digital Village Building #3 Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Engineering Center Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Equine Campus, Phase 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Facilities Shops and Storage Facility Vaughan Warehouse #1 and #7 Replacement for UK HealthCare - 6/17/2021 - FCR 11	Fayette	2020-2022	In Construction	2	03/21/23	
Construct Hospice Facility - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Housing	Fayette	2018-2020	Awaiting Initiation by Agency			
Construct Indoor Track (Other Funds) Approved pursuant to KRS 45.763 2/18/2022 - FCR 14	Fayette	2020-2022	Planning			
Construct Indoor Track (Restricted Funds)	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Library Depository Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Library/Knowledge Center	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Metal Arts/Digital Media Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct New Alumni Center Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct North Farm Agricultural Research Facility	Fayette	2020-2022	Awaiting Initiation by Agency			

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Construct Office Park at Coldstream Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Patient Care Facility (combined auth) Authorizations for the following projects were combined: Improve Central Heating Plant (2002-04) - \$4 million (2004-06 Additional) Expand Plant Capacity/Infrastructure (2002-04) - \$23 million (2004-06 Additional) Replace Cooling Plant Chillers (2002-04) - \$6 million (2004-2006 Additional) Design Patient Bed Tower - Hospital (2002-04) - \$10 million Land Acquisition Pool (2004-06) - \$5 million of \$15 million Construct Patient Care Facility - Hospital (2004-06) - \$200 million (\$100 million in Agency Bonds) Construct Patient Care Facility Phase II - Hospital (2006-08) - \$175 million (\$150 million in Agency Bonds) Purchase Furniture and Equipment - Patient Care Facility (2006-08) - \$27 million Expand Patient Care Facility - Hospital Phase III (2008-10) - \$250 million (HB 4 allowed a \$100 million Agency Bond authorization - meant to replace a portion of the original restricted fund authorization) UK did not utilize \$100 million authorization for Expand Patient Care Facility - Hospital Phase 4 (2010-12) Expand Patient Care Facility - Hospital Phase 3 (2012-14) - \$50 million Subprojects (Data Center and Support was also a component): Construct Patient Care Facility - Hospital (Subproject 1 - Huguelet Drive Extension) - Complete/Closed Out Construct Patient Care Facility - Hospital (Subproject 2 - Parking Garage) - Complete/Closed Out Construct Patient Care Facility - Hospital (Subproject 3 - Cooling Plant #1) - Complete/Closed Out Construct Patient Care Facility - Hospital (Subproject 4 - Central Utilities Plant Expansion) - Complete/Closed Out Construct Patient Care Facility - Hospital (Subproject 5 - Building) - Complete/Closed Out Construct Patient Care Facility - Hospital (Subproject 6 - Pavilion A, OR Suites and Support) - Complete/Closed Out Construct Patient Care Facility - Hospital (Subproject 7 - Eighth Floor Patient Beds and Pharmacy) - Complete/Closed Out Construct Patient Care Facility - Hospital (Subproject 8 - Clinical Decision Unit) - Complete/Closed Out Construct Patient Care Facility (combined auth) (Sub-project 1J: Fit-up Pavilion A Basement and Other Improvements) - 12/15/2020 - FCR 15	Fayette	2002-2004	Multiple Subprojects			
Construct Patient Care Facility (combined auth) (Sub-project 1J: Fit-up Pavilion A Basement/Etc.)	Fayette	2002-2004	In Construction	18	12/31/23	
Construct Police Headquarters	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Research/Incubator Facility Approved pursuant to KRS 45.763 2/21/2020 - FCR 7 (prior authorization) P3 project delivery method reported to CPBOC on 5/19/2020 CPBOC approved development agreement on 8/19/2020	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Retail/Parking Facility 1 Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			

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Construct Retail/Parking Facility 2 Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Student Housing Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Teaching Pavilion	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct Tennis Facility Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Expand/Renovate Ambulatory Care - UK HealthCare Pavilion HA Forensics/Pediatric Sleep Study - 5/04/2021 - FCR 11 Use of private funds reported to CPBOC on 5/18/2021	Fayette	2020-2022	Design/Phase A			
Construct/Fit-up Retail Space	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Fit-Up Retail Space	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Athletics Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Athletics Playing Fields 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Athletics Playing Fields 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Campus Recreation Field 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Campus Recreation Field 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Campus Recreation Field 3	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Clinical/Admin. Facilites - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Greek Housing Sub-projects: Construct/Improve Greek Housing (Sub-project: Alpha Delta Pi) - 6/19/2020 - FCR 8 Construct/Improve Greek Housing (Sub-project: Delta Gamma) - 2/19/2021 - FCR 9	Fayette	2020-2022	Multiple Subprojects			
Construct/Improve Greek Housing (Sub-project: Alpha Delta Pi)	Fayette	2020-2022	Complete/In Warranty	100	08/09/21	08/09/21
Construct/Improve Greek Housing (Sub-project: Delta Gamma) CM at-Risk project delivery method reported to CPBOC on 3/15/2021	Fayette	2020-2022	Revising/Rebidding			
Construct/Improve Office Building	Fayette	2020-2022	Awaiting Initiation by Agency			

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Construct/Improve Parking I	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Parking II	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Improve Recreation Quad 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Relocate Data Center	Fayette	2020-2022	Awaiting Initiation by Agency			
Construct/Renovate Gymnastic Practice Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Decommission Facilities Demolition of Kirwan-Blanding - 12/12/2017 - FCR 6	Fayette	2016-2018	Complete/In Warranty	100	06/30/21	06/30/21
Decommission Facilities	Fayette	2020-2022	Awaiting Initiation by Agency			
Expand KY Geological Survey Well Sample and Core Repository	Fayette	2020-2022	Awaiting Initiation by Agency			
Expand Student Center (Dining) 10/18/2019 - PR 1 (2018-2020 Improve Student Center Space 2 authorization sometimes referenced) CM at-Risk project delivery method reported to CPBOC on 1/21/2020	Fayette	CPBOC-12/01/19	Complete/In Warranty	100	07/30/21	07/30/21
Expand/Improve Barnhart Building Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
Expand/Improve Cooper House	Fayette	2020-2022	Cancelled			
Expand/Improve Johnson Center	Fayette	2020-2022	Awaiting Initiation by Agency			
Expand/Improve Kastle Hall	Fayette	2020-2022	Awaiting Initiation by Agency			
Expand/Improve Willard Medical Education Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Expand/Renovate/Improve LTS Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Expand/Renovate/Improve Sturgill Development Building	Fayette	2020-2022	Awaiting Initiation by Agency			
* Expand/Renovate/Upgrade Law Building	Fayette	2014-2016	Complete/Not Closed Out	100	08/08/19	08/08/19
Facilities Renewal and Modernization	Fayette	2020-2022	Awaiting Initiation by Agency			
Facilities Renewal, Modernization & Deferred Maintenance Sub-projects: Facilities Renewal, Modernization & Deferred Maintenance (Sub-project: Chemistry/Physics 3rd Floor) - 10/20/2017 - PR 4 Facilities Renewal, Modernization & Deferred Maintenance (Sub-project: Grehan Journalism Building) - 10/20/2017 - PR 4 - Complete/Closed Out Facilities Renewal, Modernization & Deferred Maintenance (Sub-project: Infrastructure) - 10/20/2017 - PR 4 - Complete/Closed Out	Fayette	2016-2018	Multiple Subprojects			

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Facilities Renewal, Modernization & Deferred Maintenance (Sub-project: Chemistry/Physics 3rd Floor)	Fayette	2016-2018	In Construction	95	06/07/22	
Implement Land Use Plan - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Implement Patient Communication System - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Academic Facility 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Academic/Administrative Space 1 Renew /Modernize Cooper House - 6/17/2021 - FCR 9	Fayette	2020-2022	In Construction	59	07/22/22	
Improve Academic/Administrative Space 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Academic/Administrative Space 3	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Academic/Administrative Space 4	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Anderson Tower	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Athletics Facility 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Athletics Facility 2 Nutter Fieldhouse - 2/18/2022 - FCR 15	Fayette	2020-2022	Planning			
Improve Athletics Facility 3	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Athletics Facility 4	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Athletics Facility 5	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Barnhart Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Baseball Facility Phase II	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Building Electrical Systems	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Building Mechanical Systems	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Building Mechanical Systems AG North HVAC - 12/11/2018 - FCR 12	Fayette	2018-2020	Complete/In Warranty	100	03/19/21	03/19/21
Improve Building Shell Systems Sub-project: Improve Building Shell Systems (Sub-project: Peterson Service Building Window Replacement) - 12/14/2021 - FCR 14 Improve Building Shell Systems (Sub-project: William T. Young Library Roof Replacement) - 12/14/2021 - FCR 15	Fayette	2020-2022	Multiple Subprojects			

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Improve Building Shell Systems (Sub-project: Peterson Service Building Window Replacement)	Fayette	2020-2022	In Construction	10	01/27/23	
Improve Building Shell Systems (Sub-project: William T. Young Library Roof Replacement)	Fayette	2020-2022	Awarding Contract			
Improve Building Systems - UK HealthCare Sub-projects: Improve Building Systems - UK HealthCare (Sub-project: Good Samaritan Emergency Generator Upgrade) - 12/15/2020 - FCR 16 Improve Building Systems - UK HealthCare (Sub-project: Pavilion H - Replace AHU S1 & S1A) - 10/15/2020 - FCR 2; 9/10/2021 - FCR 8 Improve Building Systems - UK HealthCare (Sub-project: Pavilion WH - Replace AHU 4 & 5) - 10/15/2020 - FCR 3	Fayette	2020-2022	Multiple Subprojects			
Improve Building Systems - UK HealthCare (Sub-project: Good Samaritan Emergency Generator Upgrade)	Fayette	2020-2022	Revising/Rebidding			
Improve Building Systems - UK HealthCare (Sub-project: Pavilion H - Replace AHU S1 & S1A)	Fayette	2020-2022	In Construction	12	09/24/22	
Improve Building Systems - UK HealthCare (Sub-project: Pavilion WH - Replace AHU 4 & 5)	Fayette	2020-2022	In Construction	30	12/14/22	
Improve Building Systems - UKHC Sub-projects: Improve Building Systems - UKHC (Sub-project: Pav H AHU) - 9/13/2019 - FCR 5 Improve Building Systems - UKHC (Sub-project: Pav HA AHU #1, 2, & 3) - 9/14/2018 - FCR 6 Improve Building Systems - UKHC (Sub-project: Pav HA AHU #8) - 6/16/2017 - FCR 9 - Complete/Closed Out	Fayette	2016-2018	Multiple Subprojects			
Improve Building Systems - UKHC (Sub-project: Pav H AHU)	Fayette	2016-2018	Complete/Closed Out	100	12/31/20	12/31/20
Improve Building Systems - UKHC (Sub-project: Pav HA AHU #1, 2, & 3)	Fayette	2016-2018	Complete/In Warranty	100	09/20/21	09/20/21
Improve CAER Facilities Sub-projects: Improve CAER Facilities (Sub-project: Carbon Fiber Development Facility) - 2/21/2020 - FCR 10 Improve CAER Facilities (Sub-project: Laboratory Building #1 Chiller Replacement) - 2/21/2020 - FCR 8 - Complete/Closed Out Improve CAER Facilities (Sub-project: Mineral Process Building Expansion) - 2/21/2020 - FCR 9	Fayette	2018-2020	Multiple Subprojects			
Improve CAER Facilities (Sub-project: Carbon Fiber Development Facility) Use of federal funds reported to CPBOC on 6/25/2020	Fayette	2018-2020	Design/Phase C			
Improve CAER Facilities (Sub-project: Mineral Process Building Expansion)	Fayette	2018-2020	In Construction	2	06/10/22	

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Use of federal funds reported to CPBOC on 6/25/2020						
Improve Campus Core Quadrangle Facilities This authorization may be used in addition to Renew/Modernize Facilities project allocation depending upon condition of building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Campus Infrastructure	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Campus Parking and Transportation System Sub-projects: Improve Campus Parking and Transportation System (Sub-project: 2020 Maintenance) - 12/10/2019 - FCR 9; Use of restricted funds component of authorization - Complete/Closed Out Improve Campus Parking and Transportation System (Sub-project: Parking Structure #5) - 12/11/2018 - FCR 13; Approved pursuant to KRS 45.763/Funded pursuant to KRS 45A.007; CPBOC approved development agreement, including facilities lease, on May 14, 2019	Fayette	2018-2020	Multiple Subprojects			
Improve Campus Parking and Transportation System (Sub-project: Parking Structure #5)	Fayette	2018-2020	Complete/Not Closed Out	100	10/09/20	10/09/20
Improve Campus Parking and Transportation System 2020 Approved pursuant to KRS 45.763 Sub-project: Improve Campus Parking and Transportation System 2020 (Sub-project: 2021 Maintenance) - 2/19/2021 - FCR 5; Use of restricted funds component of authorization Improve Campus Parking and Transportation System 2020 (Sub-project: 2022 Maintenance) - 12/14/2021 - FCR 13; Use of restricted funds component of authorization	Fayette	2020-2022	Multiple Subprojects			
Improve Campus Parking and Transportation System 2020 (Sub-project: 2021 Maintenance)	Fayette	2020-2022	Complete/In Warranty	100	11/01/21	11/01/21
Improve Campus Parking and Transportation System 2020 (Sub-project: 2022 Maintenance)	Fayette	2020-2022	Design/Phase B			
Improve Carnahan House	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Center for Applied Energy Research Facilities	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Chem/Physics Building Phase 3	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Civil/Site Infrastructure University Court - 12/13/2016 - FCR 10	Fayette	2016-2018	Awaiting Initiation by Agency			
Improve Civil/Site Infrastructure	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Civil/Site Infrastructure 2018	Fayette	2018-2020	Multiple Subprojects			

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Approved pursuant to KRS 45.763						
Sub-project:						
Improve Civil/Site Infrastructure 2018 (Sub-project: Library Drive Extension Phase 1) - 2/22/2019- FCR 6						
Improve Civil/Site Infrastructure 2018 (Sub-project: South Campus Quad) - 12/10/2019 - FCR 13						
Improve Civil/Site Infrastructure 2018 (Sub-project: Library Drive Extension Phase 1)	Fayette	2018-2020	Complete/Not Closed Out	100	09/22/20	09/22/20
Improve Civil/Site Infrastructure 2018 (Sub-project: South Campus Quad)	Fayette	2018-2020	Awaiting Initiation by Agency			
Improve Clinical/Ambulatory Services Approved pursuant to KRS 45.763	Fayette	2016-2018	Multiple Subprojects			
Sub-projects:						
Improve Clinical/Ambulatory Services (Sub-project: Cancer Services) - 6/22/2018 - FCR 6						
Improve Clinical/Ambulatory Services (Sub-project: Otolaryngology) - 6/24/2016 - FCR 14 - Complete/Closed Out						
Improve Clinical/Ambulatory Services (Sub-project: Radiation Medicine Accelerator/Brachytherapy) - 9/09/2016 - FCR 11						
Improve Clinical/Ambulatory Services (Sub-project: Cancer Services)	Fayette	2016-2018	Complete/In Warranty	100	11/02/21	11/02/21
Improve Clinical/Ambulatory Services (Sub-project: Radiation Medicine Accelerator/Brachytherapy)	Fayette	2016-2018	Complete/Not Closed Out	100	11/06/19	11/06/19
Improve Coldstream Research Campus Public Infrastructure - 5/5/2020 - FCR 5 (prior authorization); 5/4/2021 - FCR 9	Fayette	2020-2022	In Construction	75	05/15/22	
Improve Dentistry Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Dickey Hall	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve DLAR Facilities	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Electrical Infrastructure Sub-project:	Fayette	2020-2022	Multiple Subprojects			
Improve Electrical Infrastructure (Sub-project: Ag North/South Complex) - 9/11/2020 - FCR 8						
Improve Electrical Infrastructure (Sub-project: Ag North/South Complex)	Fayette	2020-2022	In Construction	85	06/07/22	
Improve Enterprise Networking 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Enterprise Networking 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Fume Hood Systems	Fayette	2020-2022	Awaiting Initiation by Agency			

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Improve Funkhouser Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Good Samaritan Hospital Facilities Replace AHU #24 and #54 - 9/09/2016 - FCR 10; 12/12/2017 - FCR 10	Fayette	2016-2018	Complete/Closed Out	100	10/05/20	10/05/20
Improve Good Samaritan Hospital Facilities Sub-projects: Improve Good Samaritan Hospital Facilities (Sub-project: Interventional Radiology) - 2/22/2019 - FCR 7 Improve Good Samaritan Hospital Facilities (Sub-project: Magnetic Resonance Imaging) - 6/22/2018 - FCR 5 Improve Good Samaritan Hospital Facilities (Sub-project: Third Floor Renovation) - 2/21/2020 - FCR 11	Fayette	2018-2020	Multiple Subprojects			
Improve Good Samaritan Hospital Facilities (Sub-project: Interventional Radiology)	Fayette	2018-2020	Cancelled			
Improve Good Samaritan Hospital Facilities (Sub-project: Magnetic Resonance Imaging)	Fayette	2018-2020	Complete/Closed Out	100	07/29/20	07/29/20
Improve Good Samaritan Hospital Facilities (Sub-project: Third Floor Renovation)	Fayette	2018-2020	Complete/In Warranty	100	04/16/21	04/16/21
Improve Good Samaritan Hospital Facilities UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Jacobs Science Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Joe Craft Center	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Joe Craft Football Practice Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Kroger Field Stadium Audio Visual Improvements - 2/18/2022 - FCR 16	Fayette	2020-2022	Planning			
Improve Lancaster Aquatic Center 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Lancaster Aquatic Center 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Library Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Life Safety	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Markey Cancer Center - UK HealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve McVey Hall	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Mechanical Infrastructure Central Campus Utilities - 12/11/2018 - FCR 11	Fayette	2018-2020	Complete/Not Closed Out	100	08/15/20	08/15/20
Improve Mechanical Infrastructure	Fayette	2020-2022	Awaiting Initiation by Agency			

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Improve Medical Center Library	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Medical Facility 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Medical Facility 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Medical Plaza	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Memorial Coliseum	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Memorial Coliseum Design - 2/22/2019 - FCR 8 Comments: Project is currently on hold	Fayette	2018-2020	Other			
Improve Memorial Hall	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Moloney Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Multi-Disciplinary Science Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Nutter Field House	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Nutter Training Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Parking Garage 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Parking Garage 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Parking/Transportation Systems UK HealthCare Approved pursuant to KRS 45.763 Parking Structure 8 Expansion - Design Only - 6/17/2021 - FCR 10 CM-at-Risk project delivery method reported to CPBOC on 11/18/2021	Fayette	2020-2022	Design/Phase B			
Improve Patterson Hall	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Pence Hall	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Peterson Service Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Reynolds Building 1 This authorization may be used in addition to Renew/Modernize Facilities project allocation depending upon condition of building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Sanders-Brown Building See Improve Sanders-Brown Center on Aging/Neuroscience Facilities (combined auth)	Fayette	2020-2022	Combined Authorities			
Improve Sanders-Brown Center on Aging/Neuroscience Facilities (combined auth)	Fayette	2020-2022	Design/Phase A			

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<p>Authorizations for the following projects have been combined (9/10/2021 - FCR 5) and reported to CPBOC on 10/21/2021:</p> <p>Improve Sanders-Brown Building - \$35 million in restricted funds</p> <p>Improve Sanders-Brown Center on Aging/Neuroscience Facilities Completion - \$14 million in bond funds and \$14 million in private funds</p> <p>Use of the \$14 million bond funds and \$14 million of the \$35 million restricted funds authorization is anticipated</p> <p>CM at-Risk project delivery method reported to CPBOC on 2/22/2022</p>						
* Improve Sanders-Brown Center on Aging/Neuroscience Facilities Completion	Fayette	2020-2022	Combined Authorities			
<p>Approved pursuant to KRS 45.763</p> <p>See Improve Sanders-Brown Center on Aging/Neuroscience Facilities (combined auth)</p>						
Improve Scovell Hall	Fayette	2020-2022	Awaiting Initiation by Agency			
This authorization may be used in addition to Renew/Modernize Facilities project allocation depending upon condition of building						
Improve Seaton Center	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Senior Center	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Soccer/Softball Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Spindletop Hall Facilities	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Student Center Space 1	Fayette	2018-2020	Complete/Not Closed Out	100	06/19/20	06/19/20
Harris Ballroom - 4/30/2019 - FCR 7						
Improve Student Center Space 2	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Student Center Space 3	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Taylor Education Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve UK Healthcare Facilities - Chandler Hospital	Fayette	2016-2018	Cancelled			
Gill Heart and Vascular Institute Catheterization Lab Expansion - 12/12/2017 - FCR 11						
Improve UK HealthCare Facilities - UK Chandler Hospital	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve University Storage Facility	Fayette	2020-2022	Multiple Subprojects			
<p>Sub-project:</p> <p>Improve University Storage Facility (Sub-project: UKHC at Vaughn Warehouse) - 12/15/2020 - FCR 11</p>						
Improve University Storage Facility (Sub-project: UKHC at Vaughn Warehouse)	Fayette	2020-2022	Cancelled			
Improve W.T. Young Facility	Fayette	2020-2022	Awaiting Initiation by Agency			

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Improve Whalen Bldg & Bay Facility	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve Wildcat Coal Lodge	Fayette	2020-2022	Awaiting Initiation by Agency			
Improve/Clinical Ambulatory Services Facilities UKHealthCare	Fayette	2020-2022	Awaiting Initiation by Agency			
Lease - Purchase Campus Call Center System	Fayette	2020-2022	Awaiting Initiation by Agency			
Lease - Purchase Campus Infrastructure Networking Equipment to Improve UK Network (Data Center of the Future) - 9/4/2019 - 20 IT 08	Fayette	2018-2020	In Construction	90	10/31/22	
Lease - Purchase Network Security	Fayette	2020-2022	Awaiting Initiation by Agency			
Lease - Purchase Voice Infrastructure	Fayette	2020-2022	Awaiting Initiation by Agency			
Lease/Purchase Campus Infrastructure	Fayette	2020-2022	Awaiting Initiation by Agency			
Lease/Purchase Campus IT Systems	Fayette	2020-2022	Awaiting Initiation by Agency			
Lease/Purchase High Performance Computer	Fayette	2020-2022	Awaiting Initiation by Agency			
Purchase/Construct CO2 Capture Process Plant	Fayette	2020-2022	Awaiting Initiation by Agency			
Relocate/Replace Greenhouses	Fayette	2020-2022	Awaiting Initiation by Agency			
Renew/Modernize Facilities Sub-projects:	Fayette	2018-2020	Multiple Subprojects			
Renew/Modernize Facilities (Sub-project: 18th Floor Patterson) - 12/10/2019 - FCR 11						
Renew/Modernize Facilities (Sub-project: Chemistry/Physics Phase II) - 2/22/2019 - FCR 2; 12/10/2019 - FCR 11						
Renew/Modernize Facilities (Sub-project: Modernize Frazee Hall) - 12/10/2019 - FCR 11						
Renew/Modernize Facilities (Sub-project: Reynolds Building #1 - Design) - 2/22/2019 - FCR 3; 12/10/2019 - FCR 11						
Renew/Modernize Facilities (Sub-project: Scovell Hall - Design) - 6/21/2019 - FCR 19; 12/10/2019 - FCR 11						
Renew/Modernize Facilities (Sub-project: Study of Quad) - 12/10/2019 - FCR 11 - Complete/Closed Out						
Renew/Modernize Facilities (Sub-project: White Hall Renovation Phase I) - 12/10/2019 - FCR 11						
Renew/Modernize Facilities (Sub-project: Campus Enabling Infrastructure Phase I) - 12/10/2019 - FCR 11						
Renew/Modernize Facilities (Sub-project: Campus Enabling Infrastructure Phase II) - 12/10/2019 - FCR 11						
Renew/Modernize Facilities (Sub-project: 18th Floor Patterson)	Fayette	2018-2020	Complete/In Warranty	100	06/16/21	06/16/21
Renew/Modernize Facilities (Sub-project: Campus Enabling Infrastructure Phase I)	Fayette	2018-2020	Complete/In Warranty	100	04/01/21	04/01/21
Renew/Modernize Facilities (Sub-project: Campus Enabling Infrastructure Phase II)	Fayette	2018-2020	Bidding			

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Renew/Modernize Facilities (Sub-project: Chemistry/Physics Phase II)	Fayette	2018-2020	In Construction	94	06/07/22	
Renew/Modernize Facilities (Sub-project: Modernize Frazee Hall) CM at-Risk project delivery method reported to CPBOC on 9/16/2020	Fayette	2018-2020	Revising/Rebidding			
Renew/Modernize Facilities (Sub-project: Reynolds Building #1 - Design)	Fayette	2018-2020	Design/Phase C			
Renew/Modernize Facilities (Sub-project: Scovell Hall - Design)	Fayette	2018-2020	Cancelled			
Renew/Modernize Facilities (Sub-project: White Hall Renovation Phase I)	Fayette	2018-2020	Complete/In Warranty	100	02/14/22	02/14/22
Renovate Space for a Testing Center	Fayette	2020-2022	Awaiting Initiation by Agency			
Renovate/Expand Cooper House Not included in Renew/Modernize Facilities (2/22/2019 - FCR 4) Moved to Improve Academic/Administrative Space 1 - 6/17/2021 - FCR 9	Fayette	2018-2020	Cancelled			
Renovate/Expand University Student Center	Fayette	2014-2016	Complete/Not Closed Out	100	06/18/18	06/18/18
Renovate/Improve Frazee Hall This authorization may be used in addition to Renew/Modernize Facilities project allocation depending upon condition of building	Fayette	2020-2022	Awaiting Initiation by Agency			
Renovate/Improve Housing	Fayette	2018-2020	Awaiting Initiation by Agency			
Renovate/Improve King Library	Fayette	2020-2022	Awaiting Initiation by Agency			
Renovate/Improve Mineral Industries Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Renovate/Improve Nursing Building	Fayette	2020-2022	Awaiting Initiation by Agency			
Renovate/Improve Nursing Units - UK HealthCare Pav H 3rd Floor Behavioral Health - 9/11/2020 - FCR 7	Fayette	2020-2022	In Construction	39	08/11/22	
Renovate/Upgrade HealthCare Facilities See Renovate/Upgrade UK HealthCare Facilities (combined auth)	Fayette	2014-2016	Combined Authorities			
Renovate/Upgrade HealthCare Facilities (Agency Bonds)	Fayette	2018-2020	Awaiting Initiation by Agency			
Renovate/Upgrade Healthcare Facilities (Agency Bonds) See Renovate/Upgrade UK HealthCare Facilities (combined auth)	Fayette	2016-2018	Combined Authorities			

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Renovate/Upgrade Healthcare Facilities (Restricted Funds)	Fayette	2016-2018	Multiple Subprojects			
Sub-projects:						
Renovate/Upgrade Healthcare Facilities (Restricted Funds) (Sub-project: Simulation Center) - 12/13/2016 - FCR 12 - Complete/Closed Out						
Renovate/Upgrade Healthcare Facilities (Restricted Funds) (Sub-project: University Inn) - 12/13/2016 - FCR 11 - Complete/Closed Out						
Renovate/Upgrade HealthCare Facilities 2	Fayette	2014-2016	Combined Authorities			
See Renovate/Upgrade UK HealthCare Facilities (combined auth)						
Renovate/Upgrade UK HealthCare Facilities (combined auth)	Fayette	2014-2016	Multiple Subprojects			
Authorizations for the following projects have been combined and transmitted March 2015 and reported June 20, 2017 to CPBOC:						
Renovate/Upgrade HealthCare Facilities (2014-2016) - \$150 million in agency bonds						
Renovate/Upgrade HealthCare Facilities 2 (2014-2016) - \$130 million in restricted funds						
Renovate/Upgrade Healthcare Facilities (2016-2018) - \$150 million in agency bonds						
Sub-projects:						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1F: 9th & 10th Floor Fit-Out and Elevators) - Complete/Closed Out						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1F: Chiller) - Complete/Closed Out						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1F: Kitchen/Cafeteria) - Complete/Closed Out						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1G: Blood Bank) - Complete/Closed Out						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1G: MRI, Hyperbaric & Radiology) - Complete/Closed Out						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1F: Children's Hospital NICU)						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1G: 11th Floor) - Complete/Closed Out						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1G: Pavilion A - Surgery) - Complete/Closed Out						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Endoscopy Renovation) - 6/24/2016 - FCR 15						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Fit-up 5th & 12th Floors) - 2/19/2016 - FCR 13; 6/24/2016 - FCR 15; 12/12/2017 - FCR 12; 6/19/2020 - FCR 10						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Interventional Pav A) - 6/24/2016 - FCR 15						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Obstetrical Pav HA & H) - 6/24/2016 - FCR 15; 12/12/2017 - FCR 12						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Phase 2 Radiology Pav A) - 6/24/2016 - FCR 15						
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1F: Children's Hospital NICU)	Fayette	2014-2016	Complete/Not Closed Out	100	03/16/18	03/16/18
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Endoscopy Renovation)	Fayette	2014-2016	Cancelled			
Renovate/Upgrade UK Healthcare Facilities (combined auth) (Sub-project 1I: Fit-up 12th Floor)	Fayette	2014-2016	In Construction	16	11/20/23	

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Renovate/Upgrade UK Healthcare Facilities (combined auth) (Sub-project 1I: Fit-up 5th Floor)	Fayette	2014-2016	In Construction	86	04/20/22	
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Interventional Pav A)	Fayette	2014-2016	Complete/Not Closed Out	100	01/21/21	01/21/21
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Obstetrical Pav HA & H)	Fayette	2014-2016	Cancelled			
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Phase 2 Radiology Pav A)	Fayette	2014-2016	Cancelled			
Repair Emergency Infrastructure/Building Systems	Fayette	2020-2022	Awaiting Initiation by Agency			
Repair/Replace Campus Cable Infrastructure	Fayette	2020-2022	Awaiting Initiation by Agency			
Repair/Upgrade/Expand Central Plant Cooling Plant #1 Tower Replacement - 6/21/2019 - FCR 18	Fayette	2018-2020	In Construction	60	05/26/22	
Repair/Upgrade/Expand Central Plants Sub-project: Repair/Upgrade/Expand Central Plants (Sub-project: Deaerators) - 2/19/2021 - FCR 5 Repair/Upgrade/Expand Central Plants (Sub-project: Expand Central Plant - Design) - 9/10/2021 - FCR 6	Fayette	2020-2022	Multiple Subprojects			
Repair/Upgrade/Expand Central Plants (Sub-project: Deaerators)	Fayette	2020-2022	Design/Phase B			
Repair/Upgrade/Expand Central Plants (Sub-project: Expand Central Plant - Design)	Fayette	2020-2022	Planning			
Replace UK HealthCare IT Systems 1	Fayette	2020-2022	Awaiting Initiation by Agency			
Replace UKHC IT Systems 1 Single Enterprise Electronic Health Record - 4/30/2019 - FCR 10	Fayette	2018-2020	In Construction	80	06/30/22	
* Research Building 2 Initial Authorization - House Bill 298 (2015 Regular Session) Sub-projects: Research Building 2 (Sub-project: Phase I - Construct Research Building) - 3/16/2015 - FCR 14 Research Building 2 (Sub-project: Phase III - Fit-Up Two Wet Labs) - 12/10/2019 - FCR 10 Research Building 2 (Sub-project: Final Phase)	Fayette	Other	Multiple Subprojects			
Research Building 2 (Sub-project: Final Phase)	Fayette	Other	In Construction	86	06/27/22	
Research Building 2 (Sub-project: Phase I - Construct Research Building)	Fayette	Other	Complete/Not Closed Out	100	09/21/18	09/21/18

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Research Building 2 (Sub-project: Phase III - Fit-Up Two Wet Labs)	Fayette	Other	Complete/In Warranty	100	09/29/21	09/29/21
* Research Building 2 (University of Kentucky HealthCare Disparities Initiative/Phase II) 10/19/2018 - PR 4	Fayette	2018-2020	Complete/Not Closed Out	100	11/09/20	11/09/20
Upgrade Dining Facilities Approved pursuant to KRS 45.763	Fayette	2020-2022	Awaiting Initiation by Agency			
<p>Prior Authorizations (combined and reported June 17, 2014 under Upgrade Dining Facilities): Construct Student Dining Facilities (2012-2014) - \$35 million in restricted funds Upgrade Dining Facilities (2014-2016) - \$50 million in other funds (reauthorized through 2018-2020 with \$20 million, 2016-2018, and \$15 million, 2018-2020, of additional funding authority for Aramark to undertake future projects) Construct Student Dining Facility (account closed in 2016) was done under prior authorization</p> <p>Separate Expand Student Center (Dining) project approved by CPBOC on 12/17/2019</p>						
Upgrade/Expand Campus Security Platform	Fayette	2020-2022	Awaiting Initiation by Agency			
Upgrade/Renovate/Expand Research Labs Biosafety Lab Renovation - Health Sciences Research Building - 9/10/2021 - FCR 7	Fayette	2020-2022	Design/Phase A			
* Upgrade/Renovate/Expand Research Labs Grain Center of Excellence - 8/19/2016 - FCR 9; 5/01/2018 - FCR 1 (\$15 million in Phase I MSA funds allocated by Agricultural Development Board)	Caldwell	2016-2018	Complete/Closed Out	100	02/25/20	02/25/20
Upgrade/Renovate/Expand Research Labs Lee T. Todd Jr. Building Fifth Floor Laboratory Renovation - 6/21/2019 - FCR 20	Fayette	2018-2020	Cancelled			

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Cabinet/Agency/Project Title	Scheduled	Account Balance	Explanation - Why has the account not been closed?
	Closeout		
Postsecondary Education Cabinet/University of Kentucky			
* Expand/Renovate/Upgrade Law Building	09/08/20	\$439,000.00	Multiple Warranty Dates
Improve Campus Parking and Transportation System (Sub-project: Parking Structure #5)	11/09/21	\$1,000.00	Warranty Issue
Improve Civil/Site Infrastructure 2018 (Sub-project: Library Drive Extension Phase 1)	10/22/21	\$3,000.00	Warranty issues
Improve Clinical/Ambulatory Services (Sub-project: Radiation Medicine Accelerator/Brachytherapy)	12/06/20	\$245,500.00	Warranty Issues
Improve Mechanical Infrastructure	09/15/21	\$65,000.00	Warranty Issues
Improve Student Center Space 1	07/19/21	\$70,000.00	Multiple Warranty Dates
Renovate/Expand University Student Center	07/18/19	\$201,250.00	Multiple Warranty Dates
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1F: Children's Hospital NICU)	04/16/19	\$1.00	Warranty Issue
Renovate/Upgrade UK HealthCare Facilities (combined auth) (Sub-project 1I: Interventional Pav A)	02/21/22	\$800,000.00	Warranty Issues
Research Building 2 (Sub-project: Phase I - Construct Research Building)	10/21/19	\$79,000.00	Multiple Warranty Dates
* Research Building 2 (University of Kentucky HealthCare Disparities Initiative/Phase II)	12/09/21	\$114,000.00	Multiple Warranty Dates

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Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
Postsecondary Education Cabinet/University of Louisville						
Acquisition of Dormitories	Jefferson	2020-2022	Awaiting Initiation by Agency			
Athletics Enhancements in New Dormitory	Jefferson	2020-2022	In Construction	20	12/31/22	
Basketball/Lacrosse Practice Facility Expansion	Jefferson	2020-2022	Design/Phase A			
Belknap 3rd Street Improvements	Jefferson	2020-2022	Design/Phase A			
Belknap Brandeis Corridor Improvements	Jefferson	2020-2022	Design/Phase A			
Belknap Campus New Residence Halls (combined auth)	Jefferson	2018-2020	Other			
\$90 million of authorized agency bonds was reallocated to Demolish and Construct Residence Halls						
Authorizations for the following projects have been combined and reported to CPBOC, with associated scope reduction from \$103.875 million to \$90 million, on 10/15/2019:						
Demolish and Replace Miller Resident Hall (2018-2020) - \$70.6 million in agency bonds						
Renovate and Expand Threlkeld Resident Hall (2018-2020) - \$33.275 million in agency bonds						
Comments: Projects were split into two separate projects - Housing 1 and Housing 2.						
Capital Renewal for Athletic Venues	Jefferson	2020-2022	Awaiting Initiation by Agency			
Cardinal Stadium Club Upgrades	Jefferson	2020-2022	Combined Authorities			
See Renovate Cardinal Stadium Club (combined auth)						
College of Education HVAC Upgrade	Jefferson	2020-2022	In Construction	5	03/30/23	
Construct Athletic Equipment and Apparel Storage Facility	Jefferson	2018-2020	Awaiting Initiation by Agency			
Construct Athletic Grounds Building	Jefferson	2020-2022	Awaiting Initiation by Agency			
Construct Athletics Office Building	Jefferson	2020-2022	Awaiting Initiation by Agency			
Construct Athletics Village	Jefferson	2020-2022	Awaiting Initiation by Agency			
* Construct Belknap Classroom/Academic Building	Jefferson	2014-2016	In Construction	99	09/15/18	
Comments: An additional project in the courtyard of the Belknap Academic Classroom building was added. The addition is scheduled to be complete by October 2022						
Construct College of Business Building	Jefferson	2020-2022	Awaiting Initiation by Agency			
Construct HSC Parking Structure II	Jefferson	2004-2006	Complete/Not Closed Out	100	11/30/09	12/15/09
Construct Indoor Facility	Jefferson	2020-2022	Awaiting Initiation by Agency			
Construct LARRI Facility	Jefferson	2020-2022	Awaiting Initiation by Agency			

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Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
Approved pursuant to KRS 45.763						
Construct New Natatorium	Jefferson	2020-2022	Awaiting Initiation by Agency			
Construct Practice Bubble	Jefferson	2020-2022	Awaiting Initiation by Agency			
Construct/Upgrade Utility Infrastructure	Jefferson	2020-2022	Planning			
Demolish and Construct Golf Maintenance/Chemical Building	Jefferson	2020-2022	Awaiting Initiation by Agency			
Demolish and Construct Residence Halls	Jefferson	2020-2022	Multiple Subprojects			
Reallocation from Demolish and Replace Miller Residence Hall (\$56.725 million) and Renovate and Expand Threlkeld Residence Hall projects (\$33.275 million)						
Sub-projects:						
Demolish and Construct Residence Halls (Sub-project: Phase 1)						
Demolish and Construct Residence Halls (Sub-project: Phase 2)						
Demolish and Construct Residence Halls	Jefferson	2020-2022	In Construction	99	09/01/21	
(Sub-project: Phase 1)						
Initiated under 2018-2020 Belknap Campus New Residence Halls (combined auth) authorization						
Comments: Building is complete. Finishing up punchlist items and reconciliation of the project.						
Demolish and Construct Residence Halls	Jefferson	2020-2022	In Construction	65	12/31/22	
(Sub-project: Phase 2)						
Initiated under 2018-2020 Belknap Campus New Residence Halls (combined auth) authorization						
Demolish and Replace Miller Resident Hall	Jefferson	2018-2020	Combined Authorities			
See Belknap Campus New Residence Halls (combined auth)						
\$56.725 million of the \$70.6 million in agency bonds authorized was reallocated to Demolish and Construct Residence Halls						
Expand Jim Patterson Stadium and Construct Indoor Facility	Jefferson	2020-2022	Design/Phase A			
Expand Marshall Center Complex	Jefferson	2020-2022	Awaiting Initiation by Agency			
Expand Ulmer Softball Stadium	Jefferson	2020-2022	Awaiting Initiation by Agency			
Exterior Envelope Replacement School of Medicine Bldg 55A	Jefferson	2020-2022	Awaiting Initiation by Agency			
Football Practice Field Lighting	Jefferson	2020-2022	Awaiting Initiation by Agency			
Housing Facilities - Lease	Jefferson	2020-2022	In Construction	57	12/31/22	
CPBOC approved master lease on 11/19/2020 (Denny Crum Hall)						
Improve Housing Facilities Pool - 2020-2022	Jefferson	2020-2022	Awaiting Initiation by Agency			

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Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
J.B. Speed Building Renovation - Phase 1 Comments: Finishing up the punchlist and reconciliation.	Jefferson	CPBOC-11/01/20	In Construction	99	12/31/21	
Law School HVAC	Jefferson	2020-2022	Awaiting Initiation by Agency			
Medical Tower - 55A Vivarium	Jefferson	CPBOC-11/01/20	Bidding			
Public/Private Partnership Dormitory Students and Athletes Approved pursuant to KRS 45.763	Jefferson	2020-2022	Awaiting Initiation by Agency			
Public/Private Partnership Residence Hall Approved pursuant to KRS 45.763	Jefferson	2020-2022	Awaiting Initiation by Agency			
Purchase Content Management System	Jefferson	2020-2022	Bidding			
Purchase Fiber Infrastructure	Jefferson	2020-2022	Awaiting Initiation by Agency			
Purchase Housing Facilities	Jefferson	2020-2022	Awaiting Initiation by Agency			
Purchase Identity Management	Jefferson	2020-2022	In Construction	95	12/31/23	
Purchase Land	Jefferson	2020-2022	Awaiting Initiation by Agency			
Purchase Networking System Comments: Project implementation taking longer because of employee resources and materials.	Jefferson	2018-2020	In Construction	60	01/30/21	
Purchase Networking System	Jefferson	2020-2022	Awaiting Initiation by Agency			
Purchase Next Generation/ERP Support System	Jefferson	2020-2022	In Construction	70	12/31/23	
Purchase Research Computing Infrastructure	Jefferson	2018-2020	In Construction	10	12/31/22	
Purchase Research Computing Infrastructure	Jefferson	2020-2022	Awaiting Initiation by Agency			
Regional Biocontainment Laboratory Pressurization Upgrade	Jefferson	2020-2022	In Construction	35	08/30/25	
Renovate and Expand Threlkeld Resident Hall See Belknap Campus New Residence Halls (combined auth) \$33.275 of agency bonds authorized was reallocated to Demolish and Construct Residence Halls	Jefferson	2018-2020	Combined Authorities			
Renovate Bass Rudd Tennis Center	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Cardinal Football Stadium See Renovate Cardinal Stadium Club (combined auth)	Jefferson	2020-2022	Combined Authorities			
Renovate Cardinal Park	Jefferson	2020-2022	Awaiting Initiation by Agency			

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Renovate Cardinal Stadium Club (combined auth) Authorizations for the following projects have been combined and reported 11/18/2021 Renovate Cardinal Football Stadium - \$10 million in other funds (cash) Cardinal Stadium Club Upgrades -\$2 million in other funds (cash) Design-build project delivery method reported to CPBOC on 11/18/2021	Jefferson	2020-2022	In Construction	10	03/31/23	
Renovate Dental School Administrative Space	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Ekstrom Library Sub-projects (Prior 2010-2012 Authorization - Reauthorized through 2014-2016) Renovate Ekstrom Library (Sub-project: Phase 1 - 1st floor) - Complete/Closed out Renovate Ekstrom Library (Sub-project: Phase 2 - Delphi Teaching Resource Center) - Complete/Closed out Sub-project (Current Authorization) Renovate Ekstrom Library (Sub-project: Phase 3 - 3rd floor) - Complete/Closed out \$3.6 million of a prior 2006-2008 authorization and 2008-2010 reauthorization was used to renovate the lower level for exhibit, research, and archival storage	Jefferson	2018-2020	Multiple Subprojects			
Renovate Ekstrom Library	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Garvin Brown Boathouse	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Golf Club Shelby County	Shelby	2020-2022	Awaiting Initiation by Agency			
Renovate HSC Instructional and Student Services Space Sub-project (Prior 2012-2014 Authorization) Expand and Renovate - Instructional Building at HSC (Sub-project: Phase 1 - 1st and 2nd floors/HVAC) - Complete/Closed Out	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Lynn Soccer Stadium	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Marshall Center	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Office Building	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Parking Structures	Jefferson	2020-2022	In Construction	25	06/30/22	
Renovate Patterson Baseball Stadium	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate School of Medicine Building 55A	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate School of Nursing Building Sub-project: Renovate School of Nursing Building (Sub-project: Phase I) Renovate School of Nursing Building (Sub-project: Phase II)	Jefferson	2020-2022	Multiple Subprojects			
Renovate School of Nursing Building (Sub-project: Phase I)	Jefferson		Complete/In Warranty	100	12/31/21	09/01/21

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Renovate School of Nursing Building (Sub-project: Phase II)	Jefferson		Bidding			
Renovate Thornton's Academic Center	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Trager Football Practice Facility	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovate Ville Grill	Jefferson	2020-2022	Complete/In Warranty	100	11/30/20	04/30/21
Renovate Vivarium Facilities	Jefferson	2020-2022	Awaiting Initiation by Agency			
Renovation and Adaptation Projects for Various Buildings	Jefferson	2020-2022	In Construction	20	12/31/22	
Replace Artificial Turf Field III	Jefferson	2020-2022	Awaiting Initiation by Agency			
Replace Artificial Turf Field IV	Jefferson	2020-2022	Awaiting Initiation by Agency			
Replace Electronic Video Boards	Jefferson	2020-2022	In Construction	20	06/30/22	
Replace HVAC Various Buildings	Jefferson	2020-2022	In Construction	20	06/30/22	
Replace Papa John's (Cardinal) Stadium Seats	Jefferson	2018-2020	Complete/In Warranty	100	12/30/20	03/01/21
Replace Seats in Athletic Venues	Jefferson	2020-2022	In Construction	50	06/30/22	
Resurface & Repair Parking Lot	Jefferson	2020-2022	Complete/In Warranty	100	12/31/21	02/01/22
Steam Plant Modernization Approved pursuant to KRS 45.763	Jefferson	2020-2022	Bidding			
Upgrade and Expand WiFi and Cellular Services at Cardinal Stadium	Jefferson	CPBOC-12/01/19	In Construction	10	12/31/22	

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<u>Cabinet/Agency/Project Title</u>	<u>Scheduled</u>		
	<u>Closeout</u>	<u>Account Balance</u>	<u>Explanation - Why has the account not been closed?</u>
Postsecondary Education Cabinet/University of Louisville			
Construct HSC Parking Structure II	01/15/11	\$447,042.82	The first floor of the building is still waiting to be built out. Unable to locate vendors to occupy the space. Project scope being adjusted to build out research. Currently in the planning phase.

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Postsecondary Education Cabinet/Western Kentucky University						
Capital Renewal Pool - 2020-2022	Warren	2020-2022	Awaiting Initiation by Agency			
Construct Parking Structure IV	Warren	2020-2022	Awaiting Initiation by Agency			
Construct South Plaza	Warren	2020-2022	Awaiting Initiation by Agency			
Construct, Renovate and Improve Athletic Facilities Use of \$5.5 million in private funds reported to CPBOC on 2/22/2022	Warren	2020-2022	Design/Phase A			
Demolish Foundation Building/Improve Site	Warren	2020-2022	Revising/Rebidding			
Demolish Garrett Conference Center/Improve Site	Warren	2020-2022	Construction/Multiple Bid Packs			
Demolish Tate Page Hall/Improve Site Comments: Demolition of Tate Page Hall has been completed	Warren	2020-2022	In Construction	95	12/17/21	
Improve Life Safety Pool/Academic Buildings	Warren	2020-2022	Awaiting Initiation by Agency			
Purchase Property for Campus Expansion 2020-2022	Warren	2020-2022	Awaiting Initiation by Agency			
Purchase Property/Parking and Street Improvements 2020-2022	Warren	2020-2022	Awaiting Initiation by Agency			
Remove and Replace Student Housing at Farm	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Academic Complex	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate and Expand Clinical Education Complex	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate and Expand Innovation Campus	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Center for Research and Development Phase I	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Central Heat Plant	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Grise Hall	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Helm/Cravens Library	Warren	2018-2020	Construction/Multiple Bid Packs			
Sub-projects:						
Renovate Helm/Cravens Library (Sub-project: Construct WKU Commons @ Helm Library)						
Renovate Helm/Cravens Library (Sub-project: Partial Demolition of Helm Library) - Complete/Closed out						

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Renovate Helm/Cravens Library (Sub-project: Construct WKU Commons @ Helm Library) Comments: Project should be awarded a Certificate of Occupancy in the next 30 to 45 days.	Warren	2018-2020	In Construction	95	12/23/21	
Renovate Jones Jagers Interior	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Kentucky Building	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Ogden College of Science and Engineering Facility	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Police Department	Warren	2020-2022	Complete/In Warranty	100	05/31/21	06/30/21
Renovate Potter College Arts and Letters Facilities	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Raymond Cravens Library	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate South Campus	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate State and Normal Street Properties	Warren	2020-2022	Awaiting Initiation by Agency			
Renovate Tate Page Hall	Warren	2020-2022	Cancelled			
Repair/Replace Roof at Center for Research and Development	Warren	2020-2022	Awaiting Initiation by Agency			
Replace Underground Infrastructure	Warren	2020-2022	Planning			

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QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Commonwealth Office of Technology**Report Quarter:** 2022-2 (April)**Print Date:** 04/08/2022

<u>Cabinet/Agency/Project Title</u>	<u>County</u>	<u>Initial Auth</u>	<u>Status</u>	<u>Constr % Compl</u>	<u>Contract Compl</u>	<u>Actual Subst</u>
Education and Labor Cabinet/Employment and Training						
Replace Unemployment Insurance System	Multi	2018-2020	Planning Phase			
Budgeted Amount - \$47,500,000						
\$10 million reallocated from \$20 million bond funded Legacy Retirement System authorization						
Comments: Expenditure: \$339,558.71						
% Complete: 17%						
Education and Labor Cabinet/KY Educational Television						
KET Next Gen Conversion	Multi	CPBOC-9/01/21	Initiation Phase			
Budgeted Amount - \$11,500,000						
Education and Labor Cabinet/Office of Employment and Training						
Unemployment Insurance System Maintenance and Support Upgrades	Multi	CPBOC-2/01/22	Initiation Phase			
Budgeted Amount - \$2,000,000						
Education and Labor Cabinet/Secretary's Office						
Claims Payment Management System	Multi	2018-2020	Execution & Control Phase			
Budgeted Amount - \$2,460,000						
Comments: Expenditure: \$421,571.25						
% Complete: 15%						
UI System Citizen Improvements - Response to COVID-19	Multi	CPBOC-8/01/20	Execution & Control Phase			
Budgeted Amount - \$4,800,000						
Education and Labor Cabinet/Workforce Investment						
Case Management System	Multi	CPBOC-7/01/21	Initiation Phase			
Budgeted Amount - \$4,620,000						
Finance and Administration Cabinet/Commonwealth Office of Technology						
Enterprise Infrastructure 2020-2022	Multi	2020-2022	Initiation Phase			
Budgeted Amount - \$8,000,000						

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<u>Cabinet/Agency/Project Title</u>	<u>County</u>	<u>Initial Auth</u>	<u>Status</u>	<u>Constr % Compl</u>	<u>Contract Compl</u>	<u>Actual Subst</u>
Comments: Expenditure: % Complete: 0%						
* Legacy System Retirement Budgeted Amount - \$10,000,000 No further action planned on project during this fiscal year. Initially \$20 million - \$10 million of authorization reallocated to Replace Unemployment Insurance System Comments: Expenditure: \$6,536,100.98 % Complete: 33%	Multi	2018-2020	Execution & Control Phase			
Finance and Administration Cabinet/General Administration						
* Business One-Stop Portal - Phase III Budgeted Amount - \$12,000,000 Comments: Expenditure: \$5,408,679.73 % Complete: 61%	Multi	2016-2018	Execution & Control Phase			
Finance and Administration Cabinet/Revenue						
* Integrated Tax System Budgeted Amount - \$92,500,000 Comments: Expenditure: \$18,889,750.39 % Complete: 32%	Multi	2018-2020	Execution & Control Phase			
General Government Cabinet/Agriculture						
Inspection and Licensing Project Budgeted Amount - \$2,118,000 Comments: Expenditure: \$650,615.00 % Complete: 42%	Multi	2020-2022	Execution & Control Phase			
General Government Cabinet/Attorney General						
* Upgrade Technology Budgeted Amount - \$2,000,000 Comments: Expenditure: % Complete: 18%	Multi	2020-2022	Planning Phase			
General Government Cabinet/KY Communications Network Authority						
* Next Generation Kentucky Information Highway	Multi	2014-2016	Execution & Control Phase			

QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Commonwealth Office of Technology**Report Quarter:** 2022-2 (April)**Print Date:** 04/08/2022

<u>Cabinet/Agency/Project Title</u>	<u>County</u>	<u>Initial Auth</u>	<u>Status</u>	<u>Constr % Compl</u>	<u>Contract Compl</u>	<u>Actual Subst</u>
Budgeted Amount - \$454,462,400						
Comments: Expenditure: \$405,680,707.00						
% Complete: 92%						
General Government Cabinet/Registry of Election Finance						
* System Modernization	Multi	2016-2018	Execution & Control Phase			
Budgeted Amount - \$1,836,000						
Comments: Expenditure:						
% Complete: 2%						
General Government Cabinet/Secretary of State						
Enhanced Statewide Election Administration and Online Ballot Delivery System	Multi	CPBOC-10/01/13	Other			
Budgeted Amount - \$1,500,000						
Canceled - funds in process of being returned to feds						
Comments: Expenditure: \$666,423.59						
% Complete: 25%						
General Government Cabinet/Teachers' Retirement System						
Pension Management System Modifications	Multi	2018-2020	Initiation Phase			
Budgeted Amount - \$5,000,000						
No further action planned on project during this fiscal year.						
Comments: Expenditure: \$475,997.50						
% Complete: 5%						
Health and Family Services Cabinet/General Administration						
KASPER	Multi	2020-2022	Execution & Control Phase			
Budgeted Amount - \$2,000,000						
Comments: Expenditure: \$846,879.14						
% Complete: 52%						
Health and Family Services Cabinet/Public Health						
Budget, Accounting and Reporting System	Multi	2018-2020	Initiation Phase			
Budgeted Amount - \$4,220,000						
Comments: Expenditure: \$361,902.84						
% Complete: 50%						

QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Commonwealth Office of Technology**Report Quarter:** 2022-2 (April)**Print Date:** 04/08/2022

<u>Cabinet/Agency/Project Title</u>	<u>County</u>	<u>Initial Auth</u>	<u>Status</u>	<u>Constr % Compl</u>	<u>Contract Compl</u>	<u>Actual Subst</u>
Electronic Health Record System Budgeted Amount - \$2,400,000	Multi	2018-2020	Planning Phase			
Scan and Image Historical Records Budgeted Amount - \$5,750,000 Comments: Expenditure: \$1,259,105.25 % Complete: 71%	Multi	2018-2020	Execution & Control Phase			
Vital Statistics Digitized System Budgeted Amount - \$2,700,000 Comments: Expenditure: \$1,083,679.79 % Complete: 10%	Multi	2018-2020	Execution & Control Phase			
WIC Modernization Budgeted Amount - \$10,756,000 Comments: Expenditure: \$296,397.24 % Complete: 14%	Multi	2020-2022	Initiation Phase			

Justice and Public Safety Cabinet/State Police

* Emergency Radio System Replacement, Phase II Budgeted Amount - \$52,450,000 Reported under Two-Way Radio System Replacement, Phase I and Phase II	Multi	2020-2022	Execution & Control Phase			
* Two-Way Radio System Replacement, Phase I and Phase II Budgeted Amount - \$35,100,000 (2018-2020) and \$52,450,000 (2020-2021) for \$87,550,000 total Two-Way Radio System Replacement, Phase I and Emergency Radio System Replacement, Phase II combined under one account Comments: Expenditure: \$61,813,289.16 % Complete: 90%	Multi	2018-2020	Execution & Control Phase			

Postsecondary Education Cabinet/KY Community and Technical College System

Upgrade IT Infrastructure - Gateway CTC Budgeted Amount - \$1,500,000	Multi	2020-2022	Initiation Phase			
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Tourism, Arts & Heritage Cabinet/KY Heritage Council

* Records Digitization Budgeted Amount - \$1,000,000 Reallocation from Historical Society's Historical Society Digital Initiatives	Multi	2020-2022	Execution & Control Phase			
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QUARTERLY CAPITAL PROJECTS STATUS REPORT**Reporting Agency:** Commonwealth Office of Technology**Report Quarter:** 2022-2 (April)**Print Date:** 04/08/2022

<u>Cabinet/Agency/Project Title</u>	<u>County</u>	<u>Initial Auth</u>	<u>Status</u>	<u>Constr % Compl</u>	<u>Contract Compl</u>	<u>Actual Subst</u>
Comments: Expenditure: \$950,413.15 % Complete: 87%						
Tourism, Arts & Heritage Cabinet/KY Historical Society						
* Historical Society Digital Initiatives	Multi	2014-2016	Execution & Control Phase			
Budgeted Amount - reduced from \$3,500,000 to \$2,500,000						
Bond funded portion reallocated to Heritage Council's Records Digitization						
Transportation Cabinet/Gen Admin & Support (Transp)						
* AASHTOWare	Multi	2020-2022	Initiation Phase			
Budgeted Amount - \$2,000,000						
Comments: Expenditure: \$1,227,025.00						
% Complete: 61%						
Facilities Technology Modernization	Multi	CPBOC-4/01/21	Initiation Phase			
Budgeted Amount - \$1,450,000						
Comments: Expenditure: \$198,687.11						
% Complete: 14%						
* Replace Automated Vehicle Information System (AVIS)	Multi	2008-2010	Execution & Control Phase			
Budgeted Amount - \$29,000,000						
KYTC used \$25 million in bond funds and will use \$4 million in restricted funds to complete the project, adding a centralized lien management system.						
* Replace Kentucky Driver Licensing System	Multi	2012-2014	Initiation Phase			
Budgeted Amount - \$12,500,000						
Comments: Expenditure: \$524,922.86						
% Complete: 6%						
* Transportation Enterprise Database II	Multi	2016-2018	Execution & Control Phase			
Budgeted Amount - \$3,000,000						
Comments: Expenditure: \$548,455.78						
% Complete: 21%						
Transportation Cabinet/Vehicle Regulation						
* International Registration Plan System Upgrade	Multi	2016-2018	Execution & Control Phase			
Budgeted Amount - \$2,500,000						
Comments: Expenditure: \$1,907,208.85						
% Complete: 64%						

QUARTERLY CAPITAL PROJECTS STATUS REPORT

Reporting Agency: Commonwealth Office of Technology
Report Quarter: 2022-2 (April)
Print Date: 04/08/2022

Cabinet/Agency/Project Title	County	Initial Auth	Status	Constr % Compl	Contract Compl	Actual Subst
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* indicates projects involving General Fund supported bonds or "state" cash (General Fund, Investment Income, Capital Construction Surplus, Contingency Fund, Emergency Fund, or Statewide Deferred Maintenance Fund).

March 30, 2022

Senator Rick Girdler, Co-Chair,
Representative Chris Freeland, Co-Chair
Capital Projects and Bond Oversight Committee
Legislative Research Commission
Capitol Annex Building – Room 34
702 Capitol Avenue
Frankfort, Kentucky 40601

Subject: Sundry Medical and Research Equipment

Dear Senator Girdler and Representative Freeland and Honorable Members of the Capital Projects and Bond Oversight Committee:

Pursuant to KRS §45.760(5), the University of Kentucky hereby reports the purchase of the following items of medical and research equipment in excess of \$200,000. Money specifically budgeted and appropriated by the General Assembly for another purpose or program is not being used to acquire these items.

- A ZeroG Gait & Balance System has been purchased from Aretech for use by UK HealthCare. This robotic body-weight support system compensates for weakness and poor coordination permitting intensive rehabilitation therapies without the risk of falling. The total cost of the medical equipment was \$565,000 and the equipment was purchased with UK restricted funds. This item will be located at UK Hospital Physical Medicine & Rehab at Cardinal Hill in Lexington, Kentucky.
- A FACSLytic IVD Flow Cytometer has been purchased from Becton, Dickinson and Company for use by UK HealthCare's Immuno-Molecular Pathology Laboratory. Flow cytometry is a technology that rapidly analyzes single cells or particles as they flow past single or multiple lasers. It will be used to test for human leukocyte antigens for organ transplant patients. The equipment will replace two aged flow cytometers currently in the laboratory. The total cost of the medical equipment was \$271,943.74 and the equipment was purchased with UK restricted funds. The item will be located at UK Hospital Chandler Medical Center in Lexington, Kentucky.
- A Bruker Skyscan micro-CT scanner has been purchased from Micro Photonics, Inc. for use by the University of Kentucky's EduceLab. The EduceLab, a cultural heritage imaging and analysis laboratory, will use the micro-CT scanner to provide high-resolution scans of large cultural heritage objects. The micro-CT provides 3D imaging information that can't be obtained by other non-destructive technology and is portable enough to be used in field-deployable contexts. The total cost of the research equipment was \$471,104 and the equipment was purchased with 25% federal funds from a National Endowment for the Humanities (NEH) grant and 75% private funds per the terms of the NEH grant. This item will be located at the University of Kentucky's William S. Webb Museum for Anthropology.

- A Drop Tower System has been purchased from Instron for use by the university's Center for Applied Energy Research (CAER). The equipment is specifically designed to measure compressive strength of concrete and toughness of large concrete panels. The ability to test these parameters is necessary for a collaborative project with the U.S. Army Engineer Research and Development Center. The total cost of the research equipment was \$231,215 the equipment was purchased with federal grant funds. This item will be located at the CAER Facility in Lexington, Kentucky.

Please advise if you have any questions or if you would like additional information.

Sincerely,



Angela Martin
Vice President for Financial Planning and Chief Budget Officer

cc: Elizabeth Baker
Teresa Centers
Judy Duncan

SENATE MEMBERS

Robert Stivers
President, LRC Co-Chair
David Givens
President Pro Tempore
Damon Thayer
Majority Floor Leader
Morgan McGarvey
Minority Floor Leader
Julie Raque Adams
Majority Caucus Chair
Reginald Thomas
Minority Caucus Chair
Mike Wilson
Majority Whip
Dennis Parrett
Minority Whip



LEGISLATIVE RESEARCH COMMISSION

State Capitol 700 Capital Avenue Frankfort KY 40601

502-564-8100

Capitol Fax 502-564-2922

Annex Fax 502-564-6543

legislature.ky.gov

Jay D. Hartz
Director

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Minority Caucus Chair
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Majority Whip
Angie Hatton
Minority Whip

March 16, 2022

Holly M. Johnson, Secretary
Finance and Administration Cabinet
200 Mero Street, 5th Floor
Frankfort, Kentucky 40622

Secretary Johnson:

Pursuant to KRS 45.800(2) and KRS 45.810(3), this letter is to notify you that the Capital Projects and Bond Oversight Committee did not approve transactions transmitted by the Division of Real Properties and the Office of Financial Management; including the Kentucky Infrastructure Authority, Cabinet for Economic Development, and School Facilities Construction Commission, at its March 15, 2022 meeting since there was no quorum. Agency representatives provided testimony regarding the submittals and the present committee members did not voice any objections. Therefore, the committee understands that the Cabinet may provide notification under KRS 45.800(4) and KRS 45.810(4) of proceeding with the transactions rather than resubmitting them for the committee's April meeting. The submittals requiring committee approval were as follows:

Division of Real Properties, Department for Facilities and Support Services

Agenda Item 5.A.1.: New Lease - Transportation Cabinet, Department of Vehicle Regulation, Jefferson County, PR-5683

Agenda Item 5.A.2.: Lease Renewal (Rate Increase) - Finance and Administration Cabinet, Department of Revenue, Boone County, PR-4095

Agenda Item 5.A.3.: Lease Modification Over \$50,000 - Transportation Cabinet, Department of Vehicle Regulation, Boyle County, PR-5671

Office of Financial Management

Kentucky Infrastructure Authority

Agenda Item 6.A.1.a.: Drinking Water State Revolving Fund (Fund F) Program Loans - City of Hazard, Perry County, F22-003

Agenda Item 6.A.1.b.: Drinking Water State Revolving Fund (Fund F) Program Loans - City of Hazard, Perry County, F22-012

Agenda Item 6.A.2.a.: Drinking Water State Revolving Fund (Fund F) Program Loan and Cleaner Water Program Water Grant, City of Monticello, Wayne County, F22-005 and #21CWW215

Agenda Item 6.A.2.b.: Drinking Water State Revolving Fund (Fund F) Program Loan and Cleaner Water Program Water Grant, Knox County Utility Commission, Knox County, F22-017 and #21CWW106

Agenda Item 6.A.3.a.: Cleaner Water Program Grants, Sewer (Thirty-three – County Pool/One – Consent Decree Pool)

Agenda Item 6.A.3.b.: Cleaner Water Program Grants, Water (Sixty-nine – County Pool)

Cabinet for Economic Development

Agenda Item 6.B.: Economic Development Fund Grant - City of Elizabethtown on behalf of Kruger Packaging

Office of Financial Management

Agenda Item 6.C.: New Conduit Debt Issue - Kentucky Economic Development Finance Authority Hospital Revenue Refunding Bonds, Series 2022A-1 and Series 2022A-2 (Baptist Healthcare System Obligated Group)

School District Debt Issues with School Facilities Construction Commission Debt Service Participation

Agenda Item 6.D.1.a: New Projects – Beechwood Independent (Kenton County)

Agenda Item 6.D.1.b: New Projects – Taylor County

Agenda Item 6.D.2: Refunding – Jefferson County

If you have any questions, then please contact Katherine Halloran, Committee Staff Administrator, (502) 564-8100, extension 59124.

Sincerely,



Representative Chris Freeland, Co-Chair
Capital Projects and Bond Oversight Committee

Sincerely,



Senator Rick Girdler, Co-Chair
Capital Projects and Bond Oversight Committee

cc: Members, Capital Projects and Bond Oversight Committee
Janice Tomes, Deputy State Budget Director, Office of State Budget Director
Kevin Cardwell, Deputy State Budget Director, Office of State Budget Director
Geri E. Grigsby, Deputy Secretary, Finance and Administration Cabinet
Cassidy Connell, Chief of Staff, Finance and Administration Cabinet
Teresa Lajara, Executive Director, Office of Legislative and Intergovernmental Affairs, Finance and Administration Cabinet
Sam Ruth, Commissioner, Department for Facilities and Support Services, Finance and Administration Cabinet
Charles O. Bush, Deputy Commissioner, Department for Facilities and Support Services, Finance and Administration Cabinet
Scott Aubrey, Director, Division of Real Properties, Department for Facilities and Support Services, Finance and Administration Cabinet
Natalie W. Brawner, Assistant Director, Division of Real Properties, Department for Facilities and Support Services, Finance and Administration Cabinet
Brien Hoover, Property Management Branch Manager, Division of Real Properties, Department for Facilities and Support Services, Finance and Administration Cabinet
Ryan Barrow, Executive Director, Office of Financial Management, Finance and Administration Cabinet
Steven Starkweather, Deputy Executive Director, Office of Financial Management, Finance and Administration Cabinet
Dennis Keene, Commissioner, Department for Local Government
Sandy R. Williams, Executive Director, Kentucky Infrastructure Authority
Milward M. Dedman, Deputy Executive Director, Kentucky Infrastructure Authority
Katie Smith, Deputy Secretary and Commissioner, Department for Financial Services, Cabinet for Economic Development
Anthony Ellis, General Counsel, Office of Legal Services/Interim Executive Director, Office of Entrepreneurship, Cabinet for Economic Development
Chelsey L. Couch, Executive Director, School Facilities Construction Commission
Kristi Russell, Senior Financial Analyst, School Facilities Construction Commission



Andy Beshear
GOVERNOR

**FINANCE AND ADMINISTRATION CABINET
OFFICE OF THE CONTROLLER**

Holly M. Johnson
SECRETARY

200 Mero Street, 5th Floor
Frankfort, Kentucky 40622
Phone: (502) 564-2210
Fax: (502) 564-6597

March 17, 2022

The Honorable Rick Girdler, Co-Chairman
The Honorable Chris Freeland, Co-Chairman
Members of the Capital Projects and Bond Oversight Committee
Legislative Research Commission
Frankfort, Kentucky 40601

Re: Capital Projects and Bond Oversight Committee
Meeting Held March 15, 2022

Dear Senator Girdler, Representative Freeland, and
Members of the Capital Projects and Bond Oversight Committee:

I have received notification that no action was taken by the Capital Projects and Bond Oversight Committee due to the lack of a quorum at the March 15, 2022, meeting. Please accept this letter as notification of the determination to proceed with the transfers and actions necessary for the projects listed below:

- 1) Division of Real Properties, Department for Facilities and Support Services
 - a. Transportation Cabinet, Department of Vehicle Regulation, Jefferson County (New Lease)
 - b. Finance and Administration Cabinet, Department of Revenue, Boone County (Lease Renewal)
 - c. Transportation Cabinet, Department of Vehicle Regulation, Boyle County (Lease Modification)
- 2) Kentucky Infrastructure Authority
 - a. Fund F Loan - City of Hazard
 - b. Fund F Loan - City of Hazard
 - c. Fund F Loan and CWP Grant - City of Monticello
 - d. Fund F Loan and CWP Grant- Knox County Utility Commission
 - e. Cleaner Water Program Grants, Sewer (34)
 - f. Cleaner Water Program Grants, Water (69)

- 3) Cabinet for Economic Development
 - a. Economic Development Fund Grant - City of Elizabethtown on behalf of Kruger Packaging (USA) LLC
- 4) Office of Financial Management
 - a. Kentucky Economic Development Finance Authority Hospital Revenue Refunding Bonds, Series 2022-A1 and Series 2022-A2 (Baptist Healthcare System Obligated Group) (New Conduit Debt Issue)
- 5) School District Debt Issues with School Facilities Construction Commission Debt Service Participation
 - a. Beechwood Independent (New Project)
 - b. Taylor County (New Project)
 - c. Jefferson County (Refunding)

Sincerely,



Holly M. Johnson, Secretary
Finance and Administration Cabinet

Attachments

- C: Ryan Barrow, Executive Director, Office of Financial Management
John Hicks, State Budget Director
Katie Smith, Commissioner Economic Development Cabinet
Sandy Williams, Executive Director Kentucky Infrastructure Authority
Chelsey Couch, Executive Director, School Facilities Construction Commission
Scott Aubrey, Director, Division of Real Properties



March 31, 2022

Capital Projects and Bond Oversight Committee
702 Capital Avenue, Room 34, Capitol Annex
Frankfort, KY 40601

RE: \$7,000,000 Pulaski County School District Finance Corporation
Energy Conservation Revenue Bonds, Series of 2022

Please find enclosed a Bond Payee Disclosure Form and Plan of Financing related to the above-referenced series of Bonds. The Bonds will be used finance energy conservation measures within the district.

We would like to go ahead and submit the plan to Bond Oversight so that we will be ready to proceed with the bond sale shortly. The Bonds will be funded with savings from the General Fund.

Please process this bond disclosure form for review by the Bond Oversight Committee at the next meeting. Should you have any questions or require any additional information, please contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dwight Salsbury'.

Dwight G. Salsbury

Enclosures

147 East Third Street
Lexington, KY
40508

859/977-6600

fax: 859/381-1357

www.rsamuni.com

BOND PAYEE DISCLOSURE FORM

Par Amount:

\$7,000,000

Issue Name:

Pulaski County School District Finance Corporation Energy Conservation Revenue Bonds, Series of 2022

Purpose:

Energy conservation measures within the district

Projected Sale Date of Bonds:

June 2022

First Call Date:

8 Years at par

Method of Sale:

Competitive Bids

Place/time of sale:

Parity/SFCC, Frankfort, Ky. / TBD

Bond Rating:

Moodys: "A1"

Bond Counsel:

Steptoe and Johnson, Louisville, KY

Fiscal Agent:

RSA Advisors LLC, Lexington, Kentucky

Date received by SFCC:

/ / To be filled in by SFCC

Date scheduled for Committee review:

/ / To be filled in by SFCC

Month Day Year

Estimated par amount of Bonds:

% Share of total Bonds:

Estimated average annual debt service:

Estimated debt service reserve:

SFCC Portion	Local General Fund Portion	Total
\$0	\$7,000,000	\$7,000,000
0.00%	100.00%	100.00%
\$0	\$479,621	\$479,621
\$0	\$0	\$0

Estimated Cost of Issuance:

Fiscal Agent, Bond Counsel, Advertisements, Printing, Etc)

Special Tax Counsel

Number verifications

Bond Rating & Bank Fee

Underwriter's Discount

Credit Enhancement

Total Cost of Issuance:

\$0	\$41,000	\$41,000
\$0	\$0	\$0
\$0	\$0	\$0
\$0	\$17,850	\$17,850
\$0	\$140,000	\$140,000
\$0	\$0	\$0
\$0	\$198,850	\$198,850

Anticipated Interest Rates:

5 Years: 2.250% 10 Years: 3.000% 15 Years: 3.250%
20 Years: 3.500%

Notes: No tax Increase required

Memo

To: LRC
From: Lincoln Theinert
Subject: Bond Payee Disclosure Form Rowan County School District Series 2022
Date: March 11, 2022
cc: File

Please find enclosed a Bond Payee Disclosure Form and Plan of Financing for the Rowan County School District.

If you should have any questions or require any additional information, please do not hesitate to contact our office.

BOND PAYEE DISCLOSURE FORM

Par Amount:

\$2,250,000

Issue Name:

Rowan County School District Finance Corporation School Building Revenue Bonds, Series of 2022

Purpose:

Improvements at Rodburn Elementary (35%) and Tilden Hogge Elementary (65%)

Projected Sale Date of Bonds:

June 2022

First Call Date:

8 Years at par

Method of Sale:

Competitive Bids

Place/time of sale:

Parity/SFCC, Frankfort, Ky. / TBD

Bond Rating:

Moodys: "A1"

Bond Counsel:

Steptoe and Johnson, Louisville, KY

Fiscal Agent:

RSA Advisors LLC, Lexington, Kentucky

Date received by SFCC:

/ / To be filled in by SFCC

Date scheduled for Committee review:

/ / To be filled in by SFCC

Month Day Year

Estimated par amount of Bonds:

% Share of total Bonds:

Estimated average annual debt service:

Estimated debt service reserve:

SFCC Portion	Local Portion	Total
\$0	\$2,250,000	\$2,250,000
0.00%	100.00%	100.00%
\$0	\$151,260	\$151,260
\$0	\$0	\$0

Estimated Cost of Issuance:

Fiscal Agent, Bond Counsel, Advertisements, Printing, Etc)

Special Tax Counsel

Number verifications

Bond Rating & Bank Fee

Underwriter's Discount

Credit Enhancement

Total Cost of Issuance:

\$0	\$22,000	\$22,000
\$0	\$0	\$0
\$0	\$0	\$0
\$0	\$10,850	\$10,850
\$0	\$45,000	\$45,000
\$0	\$0	\$0
\$0	\$77,850	\$77,850

Anticipated Interest Rates:

5 Years: 3.000% 10 Years: 3.000% 15 Years: 3.000%
20 Years: 3.000%

Notes: No tax Increase required



Andy Beshear
GOVERNOR

**FINANCE AND ADMINISTRATION CABINET
DEPARTMENT FOR FACILITIES AND SUPPORT SERVICES
DIVISION OF REAL PROPERTIES**

Bush Building, 3rd Floor
403 Wapping Street
Frankfort, Kentucky 40601
Phone: (502) 564-2205
Fax: (502) 564-8108


Holly M. Johnson
SECRETARY

Sam Ruth
COMMISSIONER

Scott Aubrey
DIRECTOR

MEMORANDUM

TO: Katherine Halloran, Committee Staff Administrator
Capital Projects and Bond Oversight Committee

FROM: Brien S. Hoover, Leasing Manager 
Division of Real Properties

DATE: March 30, 2022

SUBJECT: PR-3083, Bullitt County
Cabinet for Health & Family Services
KRS 48.111(6) Advertisement Notice

Attached please find a copy of a pending lease Invitation to Lease space for the Cabinet for Health & Family Services in Bullitt County. This action results from a rental rate increase request received during regular renewal processing for Fiscal Year 2022. We anticipate that the total annual cost of the resulting lease could potentially exceed \$200,000.00; therefore, this notice is provided in accordance with the provisions of KRS 48.111(6).

If you have any questions or require additional information concerning this matter, please advise.

BSH/bh
Attachment

CC: Capital Construction Log
OSBD
PR-3083 File
BSH

INVITATION TO LEASE SPACE

The Kentucky Finance and Administration Cabinet desires to lease approximately 14,527 square feet of office space with 58 reserved parking spaces to be located in Shepherdsville, Kentucky.

Interested parties may submit proposals to lease existing properties and/or proposals to construct new facilities. The initial proposal must include the name, address, and telephone number of the property owner; the name, address, and telephone number of the property agent, if applicable; the street address of existing properties; and the street address or a location description for sites offered for new construction. Any property selected for lease must meet OSHA specifications, as well as ADA guidelines and all applicable building codes as enforced by the Kentucky Division of Building Code Enforcement. Additional information regarding participation requirements for lease projects will be provided to all respondents.

Proposals may be made by any person in writing on or before **10:30 a.m. EDT, April 21, 2022**, and must be sent to: **Division of Real Properties, RE: PR-3083, ATTN: Leasing Branch, Suite 300, 403 Wapping Street, Frankfort, KY 40601**. Fax and email proposals will not be accepted. In response to COVID-19, the offices of the Division of Real Properties are closed to the public. Proposals must be submitted via regular mail or courier service. For additional information, contact: John Brawner, Division of Real Properties, 502-782-0367 or JohnL.Brawner@ky.gov.

**Model Audit Program Checklist for Lease Law Compliance
Postsecondary Education Institutions**

Beginning with fiscal year 2005-06 audit, and annually thereafter, each postsecondary institution will complete an examination of its real property leasing procedures to comply with the provisions of KRS 56.800 through 56.823, KRS 48.111, and KRS 48.190. These compliance examinations are to be completed, by the institution's external auditor, in accordance with the minimum standards provided by the model audit program checklist as described herein.

The following model audit program checklist for reviewing a university's compliance with Kentucky Lease Laws, KRS 56.800 through 56.823, should be used for any lease of real property implemented during the fiscal year, regardless of the lease duration or funding source.

1. Document an understanding of the university's compliance control structure relating to the securing and executing of leases of real property. This may also include a review of the university's procurement process, and those provisions of KRS 164A.555 through 164A.630 relating to the lease of real property by the university.
2. Obtain schedules of lease information (property leases, renewals, lease modifications, built-to-suit leases, and emergency leases) for the audit period under review from the university personnel.
3. At a minimum, perform tests of compliance in the following areas to ensure leases of real property were awarded in accordance with the procedures outlined in KRS 56.800 through 56.823.
 - I. **56.803**-Procedures when agency requests space
 - II. **56.805**-Lease of space in building owned by a governmental unit or space required because of emergency
 - III. **56.806**-Terms of Lease-Calculation of rent-Option to purchase-Lease purchase agreement-Right to cancel lease

**Model Audit Program Checklist for Lease Law Compliance
Postsecondary Education Institutions**

- IV. **56.809**-Statement of owners of property to be furnished to cabinet-New Statement required under certain conditions
 - V. **56.813**-Request for additional space-Improvements in premises-Amendment or modification of leases-Emergency modification-Register of proposed lease modifications
 - VI. **56.814**-Employees forbidden to disclose information prior to advertisement
 - VII. If the university has executed a built-to-suit lease, compliance with KRS **56.8161** through **56.8179** and **56.820** must be reviewed
 - VIII. **56.819**-Procedure upon change in ownership of leased premises
 - IX. **56.823**-Reports on leases, exercise of options to purchase, completion of lease-purchase agreements, and lease modifications to Capital Projects and Bond Oversight Committee
4. **Sample Size**-If there are ten (10) or fewer leases of real property executed by the university for the fiscal year under review, then all of the leases should be reviewed for compliance.
5. The review of the above Kentucky Revised Statutes for compliance should include the auditor's documentation of the testing procedures performed, sample selection methods, and summary of the auditor's results. This information shall be transmitted as the university's lease law compliance report to the Council on Postsecondary Education. The Council on Postsecondary Education will forward copies of the lease law compliance reports to the Capital Projects and Bond Oversight Committee.



Crowe LLP
Independent Member Crowe Global

INDEPENDENT AUDITOR'S REPORT

Board of Regents and Audit Committee
Eastern Kentucky University
Richmond, Kentucky
and
Kentucky Auditor of Public Accounts
Frankfort, Kentucky
and
Secretary of Finance and Administration Cabinet
Department of Facilities Management of the
Commonwealth of Kentucky
Frankfort, Kentucky
and
Governor of Kentucky
Frankfort, Kentucky
and
Council on Postsecondary Education
Frankfort, Kentucky

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller of the United States, the financial statements of Eastern Kentucky University (the "University") and its discretely presented component unit, collectively, a component unit of the Commonwealth of Kentucky, which are comprised of the statement of net position as of June 30, 2021, and the statement of revenues, expenses and changes in net position and the statement of cash flows, for the year then ended. The discretely presented component unit's financial statements are comprised of the statement of financial position as of June 30, 2021 and the statement of activities for the year then ended. We have issued our report thereon dated November 16, 2021.

In connection with our audit, nothing came to our attention that caused us to believe that the provisions of KRS 56.800 through 56.823, KRS 48.111 and KRS 48.190 as well as the Model Audit Program Checklist for Lease Law Compliance for Postsecondary Education Institutions applied to the University during the year ended June 30, 2021, insofar as they relate to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of the applicability of such requirements. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the applicability of such requirements, insofar as they relate to accounting matters.

The report is intended solely for the information and use of the Board of Regents, the Audit Committee, and management of Eastern Kentucky University and is not intended to be and should not be used by anyone other than these specified parties.

Crowe LLP
Crowe LLP

Louisville, Kentucky
November 16, 2021

Eastern Kentucky University
Schedule of New and Renewed Property Leases
For the year ended June 30, 2021

No new or renewed real property leases for the year ended June 30, 2021.



Crowe LLP
Independent Member Crowe Global

INDEPENDENT ACCOUNTANT'S REPORT

Board of Regents and Audit Committee
Kentucky Community and Technical College System
Versailles, Kentucky
and
Kentucky Auditor of Public Accounts
Frankfort, Kentucky
and
Secretary of Finance and Administration Cabinet
Department of Facilities Management of the
Commonwealth of Kentucky
Frankfort, Kentucky
and
Governor of Kentucky
Frankfort, Kentucky
and
Council on Postsecondary Education
Frankfort, Kentucky

We have examined Kentucky Community and Technical College System's ("System") compliance with the requirements of KRS 48.111 and 56.800 through 56.832, Kentucky's Lease Law, regarding the accompanying schedule of new and renewed real property leases awarded by the Finance and Administration Cabinet for the year ended June 30, 2021. The System's management is responsible for the System's compliance with the specified requirements. Our responsibility is to express an opinion on the System's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the System complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the System complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

Our examination does not provide a legal determination on the System's compliance with specified requirements.

In our opinion, the System complied, in all material respects with the aforementioned requirements for the year ended June 30, 2021.

This report is intended solely for the information and use of the System and its Board of Regents and Audit Committee, Governor of Kentucky, Secretary of Finance and Administration Cabinet, Department for Facilities Management of the Commonwealth of Kentucky, Kentucky Auditor of Public Accounts and Council on Postsecondary Education and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "Crowe LLP".
Crowe LLP

Lexington, Kentucky
October 7, 2021

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Schedule of New and Renewed Real Property Leases

For the year ended June 30, 2021

Property	College	Location	Start Date	End Date	Renewal	Annual Cost
Bullitt County Classroom	JCTC	Shepherdsville, Kentucky	11/1/2007	6/30/2022	Yes	\$204,992



Crowe LLP

Independent Member Crowe Global

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INDEPENDENT AUDITOR'S REPORT

Board of Regents
Kentucky State University
Frankfort, Kentucky
and
Kentucky Auditor of Public Accounts
Frankfort, Kentucky
and
Secretary of Finance and Administration Cabinet
Department of Facilities Management of the
Commonwealth of Kentucky
Frankfort, Kentucky
and
Governor of Kentucky
Frankfort, Kentucky
and
Council on Postsecondary Education
Frankfort, Kentucky

We have audited, in accordance with auditing standards generally accepted in the United States of America, the financial statements of the business-type activities and discretely presented component unit of Kentucky State University ("University"), a component unit of the Commonwealth of Kentucky, as of and for the year ended June 30, 2020, and the related notes to the financial statements, and have issued our report thereon dated March 29, 2021.

In connection with our audit, nothing came to our attention that caused us to believe that the provisions of KRS 56.800 through 56.823, KRS 48.111 and KRS 48.190 as well as the Model Audit Program Checklist for Lease Law Compliance for Postsecondary Education Institutions applied to the University during the year ended June 30, 2020, insofar as they relate to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of the applicability of such requirements. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the applicability of such requirements, insofar as they relate to accounting matters.

This report is intended solely for the information and use of the Board of Regents and management of the University and is not intended to be and should not be used by anyone other than these specified parties.

Crowe LLP
Crowe LLP

Lexington, Kentucky
March 29, 2021



Lease Law Compliance

for

MOREHEAD STATE UNIVERSITY

Year Ended June 30, 2021
with Independent Accountants' Report Thereon

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Independent Accountants' Report

Secretary of Finance and
Administration Cabinet of the
Commonwealth of Kentucky

We have examined real property leases of Morehead State University ("the University") as of June 30, 2021 and for the year then ended, for compliance with KRS 48.111, 48.190, 56.800 through 56.823, and 164A.575 ("Kentucky's Lease Law"). The University's management is responsible for compliance with the requirements of Kentucky's Lease Law. Our responsibility is to express an opinion on the University's compliance based on our examination.

Our examination was conducted in accordance with U.S. attestation standards established by the American Institute of Certified Public Accountants, and accordingly, included examining, on a test basis, evidence about management's compliance with Kentucky's Lease Law and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination of management's compliance with specified requirements.

In our opinion, the University complied, in all material respects, with the aforementioned requirements for the year ended June 30, 2021.

This report is intended solely for the information and use of Morehead State University and the officials of the Finance and Administration Cabinet of the Commonwealth of Kentucky, and is not intended to be and should not be used by anyone other than these specified parties.

Dean Dotson Allen Ford, PLLC

September 30, 2021
Lexington, Kentucky

MOREHEAD STATE UNIVERSITY

1. Procedures

In planning and performing our compliance audit of Kentucky's Lease Law for the year ended June 30, 2021, we considered the University's internal control in order to determine our auditing procedures for the purpose of expressing an opinion on the University's compliance and not to provide assurance on internal controls.

During the year ended June 30, 2021, the University entered into two new leases and renewed eight leases. In performing our compliance procedures we reviewed and tested the following items relating to the leases:

- Eight renewed leases were tested for compliance (KRS 56.806(1)). Section 1 allows the state an option to renew an expired lease for the same terms and conditions as the original lease.
- Ten leases were tested for compliance (KRS 48.111, 48.190, 56.800 through 56.823, and 164A.575). The eight leases selected for testing were also tested for the terms of the lease KRS 56.806(1) and 56.806(3).

No findings were noted as a result of our procedures.

See independent accountants' report.

Report of Independent Accountants

Ms. Jacklyn K. Dudley
Vice President of Finance and Administrative Services
Murray State University
322 Sparks Hall
Murray, KY 42071

During the year ended June 30, 2021 Murray State University did not enter into any new leases and renewed one existing lease for real property.

We have examined real property leases of Murray State University (the University) for compliance with KRS 48.111, 48.190, and 56.800 through 56.823 (Kentucky's Lease Law) during fiscal year ended June 30, 2021. The University's management is responsible for compliance with the requirements of Kentucky's Lease Law. Our responsibility is to express an opinion on the University's compliance based on our examination.

Our examination was conducted in accordance with U.S. attestation standards established by the American Institute of Certified Public Accountants, and accordingly, included examining, on a test basis, evidence about management's compliance with Kentucky's Lease Law and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination of management's compliance with specified requirements.

In our opinion, the University complied, in all material respects, with the aforementioned requirements for the year ended June 30, 2021.

This report is intended solely for the information and use of Murray State University, the Kentucky Council on Postsecondary Education and the officials of the Finance and Administration Cabinet of the Commonwealth of Kentucky, and is not intended to be and should not be used by anyone other than these specified parties.

Dean Dorton Allen Ford, PLLC

October 1, 2021
Louisville, Kentucky

Murray State University

Lease Law Compliance Comments & Recommendations

1. Procedures

In planning and performing our compliance audit of Kentucky's Lease Law for the year ended June 30, 2021, we considered the University's internal control in order to determine our auditing procedures for purpose of expressing an opinion on the University's compliance and not to provide assurance on internal controls.

During the year ended June 30, 2021, the University entered into one renewal. In performing our compliance procedures we reviewed and tested the following items relating to the lease renewal:

- One renewal was tested for compliance (KRS 56.806). KRS 56.806 establishes the initial term of the lease and allows for automatic renewals under the same terms and conditions, and allows for a lease-purchase option and a right to cancel the lease. The lease fell into proper automatic renewal.

October 7, 2021

Board of Regents and Audit Committee
Northern Kentucky University
Highland Heights, Kentucky
and
Kentucky Auditor of Public Accounts
Frankfort, Kentucky
and
Secretary of Finance and
Administration Cabinet, Department
for Facilities Management of the
Commonwealth of Kentucky
Frankfort, Kentucky
and
Governor of Kentucky
Frankfort, Kentucky
and
Council on Postsecondary Education
Frankfort, Kentucky

During the year ended June 30, 2021, Northern Kentucky University did not enter into any new leases and did not renew any existing leases for real property. Therefore, procedures related to Kentucky Revised Statutes (KRS) § 48.111 and 56.800 through 56.832 (Kentucky Lease Law) were not performed.



James E. Creeden, Jr., CPA
Managing Partner

Independent Accountant's Report

Board of Trustees and Audit Committee
University of Kentucky
Lexington, Kentucky
and
Kentucky Auditor of Public Accounts
Frankfort, Kentucky
and
Secretary of Finance and
Administration Cabinet of the
Commonwealth of Kentucky
and
Department for Facilities Management
of the Commonwealth of Kentucky
and
Council on Postsecondary Education
and
Governor of Kentucky
Frankfort, Kentucky

We have examined management of the University of Kentucky's (University) assertion that the accompanying schedule of the new and renewed real property leases awarded by the Finance and Administration Cabinet is complete and that, for each of the leases in the accompanying schedule, the University has complied with the requirements of Kentucky Revised Statutes 48.111 and 56.800 through 56.832 (Kentucky's Lease Law) for the year ended June 30, 2021. The University's management is responsible for its assertion. Our responsibility is to express an opinion on management's assertion based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether management's assertion is fairly stated, in all material respects. An examination involves performing procedures to obtain evidence about management's assertion. The nature, timing and extent of the procedures selected depend on our judgment, including an assessment of the risks of material misstatement of management's assertion, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

In our opinion, management's assertion that the schedule of the new and renewed real property leases awarded by the Finance and Administration Cabinet is complete and that, for each of the leases in the accompanying schedule, the University has complied with the requirement of Kentucky's Lease Law for the year ended June 30, 2021, is fairly stated, in all material respects.

Board of Trustees and Audit Committee
University of Kentucky
Page 2

This report is intended solely for the information and use of the University and its board of trustees and audit committee, Kentucky Auditor of Public Accounts, Secretary of Finance and Administration Cabinet of the Commonwealth of Kentucky, Department for Facilities Management of the Commonwealth of Kentucky, Council on Postsecondary Education and Governor of Kentucky and is not intended to be, and should not be, used by anyone other than these specified parties.

BKD, LLP

Louisville, Kentucky
October 8, 2021

Lease Law Kentucky's Lease Law 6/30/2021												
	Client File Reference	Fayette County	Lease	Lessee	Government Unit/ Emergency	Lease Location	Start Date	End date	Aggregate Annual Payment	Renewal Option	Renewal Term	Renewal Extensions
1	PR 8021	N	Wilbert Perkins	Agronomy	N/N	256 Perkins Lane Frankfort, KY	7/1/2016	6/30/2021	4,500.00	N	N/A	
2	PR 8052	N	Henderson County District Board	Co-op Extension	Y/N	3341 St Rte 351E Henderson, KY	7/1/2019	6/30/2020 (2024)	13,500.00	Y	12 mo	4
3	PR 8076	N	Sapper6 Properties, LLC	Coop Extension	N/N	615 N. Mulberry Elizabethtown, KY	7/1/2018	6/30/2020 (2023)	10,593.00	Y	12 mo	3
4	PR8121 and addendum	Y	Creekside South, LLC	Center on Aging	N/N	1030 S. Broadway Lexington	7/1/2020	6/30/2022 (2025)	81,897.62	Y	12 mo	3
5	PR 8132 + A	Y	B&C Investments	KY Injury Prevention	N/N	333 Waller Lexington KY	1/15/2018	06/30/2020 (2024)	105,493.30	Y	12 mo	4
6	PR 8140	Y	Associates Warehouse	C o E	N/N	Storage Space @ Price Road	7/1/2016	MTM	3,000.00	Y	MTM	
7	PR 8192	N	Krausman Properties, LLC	Small Bus. Dev.	N/N	1376 Wingard Dr. Radcliff, KY	7/1/2020	6/30/2022 (2023)	10,000.00	Y	12 mo	1
8	PR 8195	N	The Blair Bldg LLC	KY Cancer	N/N	291 E Main St. Morehead KY 40351	7/1/2018	6/30/2019 (2021)	2,999.20	Y	12 mo	2
9	PR 8203	Y	Encompass Health*	PM&R	N/N	2050 Versailles Road Lexington KY 40504	7/1/2017	6/30/2021	68,562.00	N	N/A	
10	PR 8203 Addendum	Y	Encompass Health*	Spine & Brain	N/N	2050 Versailles Road Lexington KY 40504	7/1/2017	6/30/2021	20,430.00	N	N/A	
11	PR 8205 and addendum	Y	Southcreek Park Partnership	KY Cancer Info Services	N/N	2365 Harrodsburg Rd. Bldg A Lexington, KY 40504	7/1/2016	6/30/2018 (2023)	99,943.92	Y	12 mo	5
12	PR 8219	Y	Southcreek Park Partnership	Markey Cancer	N/N	2365 Harrodsburg Rd. Suite B210 Lexington, KY 40504	7/1/2016	6/30/2018 (2023)	81,804.36	Y	12 mo	5
13	PR 8228	Y	465 East High LLC	Behavioral Science	N/N	465 E High St	7/1/2020	6/30/2022 (2023)	54,716.49	Y	12 mo	1
14	PR 8238	Y	Christian County Agriculture Found	Agronomy	N/N	Christian County Ag Foundation 2850 Pembroke Rd Hopkinsville, KY 42240	7/1/2019	6/30/2020 (2022)	22,770.00	Y	12 mo	2
15	PR 8245	N*	P Street Associates	Federal Relations	N/N	Washington Apartment	1/15/1996	ongoing	20,964.00	Y	continues annually	
16	PR 8269	Y	Central KY FCLA	IRIS Project	N/N	640 S. Broadway Lexington, KY 40508	7/1/2020	6/30/2022	7,560.00	N	N/A	
17	PR 8275	Y	Coldstream Ventures One, LLC	IHDI	N/N	1525 Bull Lea Lex 40502	7/1/2020	6/30/2022 (2023)	147,373.00	Y	12 mo	1
18	PR 8276	Y	Lowry Group LLC	Family Practice Correction Project	N/N	2355 Hugenard Dr. Lex 40503	10/1/2016	6/30/2018 (2023)	111,147.00	Y	12 mo	5
19	PR 8278	N	Blair RE	Behavioral Science	N/N	1203 HWY 119 N Whitesburg, KY	7/1/2020	6/30/2022 (2026)	8,400.00	Y	12 mo	4
20	PR 8284	Y	KET	WUKY	Y/N	Clays Ferry KY	8/1/2020	6/1/2025	11,927.25	N		
21	PR 8299	Y	Commerce Lexington	Economic Development	N/N	330 East Main Street Lexington	7/1/2020	6/30/2022 (2026)	32,864.04	Y	12 mo	4
22	PR 8303	Y	UKFCU	HR	N/N	University of Kentucky Federal Credit Union 2557 Sir Barton Way Lexington, KY 40509	4/1/2017	06/30/2018(2021)	80,892.00	Y	12 mo	3
23	PR 8306	Y	Craig East	CCLD	N/N	120 Quinton Ct Lexington	7/1/2018	6/30/2019 (2021)	89,717.87	Y	12 mo	2
24	PR 8311	Y	Switco Family Blazer	CTAC	N/N	3470 Blazer Pkwy, Lexington	7/1/2015	6/30/2019 (2021)	207,181.50	Y	12 mo	2
25	PR 8313	N	Ronald Burnette	CDAR	N/N	470 Main Street Hazard, KY 41701	7/1/2018	6/30/2020 (2024)	51,696.00	Y	24 mo	2
26	PR 8314	Y	B&C Investments	CDAR	N/N	1591 Winchester Rd Ste 100 Lex 40505	7/1/2020	6/30/2022 (2024)	113,548.00	Y	12 mo	2
27	PR 8318	N	KMHDC	KYHP	N/N	105 Main Street Manchester, KY	7/1/2018	6/30/2020 (2023)	4,200.00	Y	12 mo	3
28	PR 8331	N	The Center for Rural Development	Kentucky Transportation	N/N	2292 South Hwy 27, Somerset, KY 42501	9/1/2012	MTM	4,200.00	Y	MTM	
29	PR 8333	N	Morehead State University	Rural Physician Program	Y/N	316 West Second St Morehead, KY	7/1/2018	6/30/2020 (2026)	82,615.00	Y	24 mo	3
30	PR 8334	N	Jack Telle	Western KY Dental	N/N	629 HWY 68E	7/1/2017	6/30/2018 (2024)	9,000.00	Y	24 mo	3

Lease Law Kentucky's Lease Law 6/30/2021												
	Client File Reference	Fayette County	Lease	Lessee	Government Unit/ Emergency	Lease Location	Start Date	End date	Aggregate Annual Payment	Renewal Option	Renewal Term	Renewal Extensions
31	PR 8336	Y	Imperial Waller	Psychology	N/N	343 Waller Ave	7/1/2020	06/30/2022 (2025)	19,062.50	Y	12 mo	3
32	PR 8342	Y	Robert Berryman	KY Transportation	N/N	710 Phillips Lane, Lexington, KY	7/1/2018	6/30/2020 (2022)	14,400.00	Y	24 mo	1
33	PR 8353	N	Brenda and Ray Shuler	KYHP	N/N	Hwy 52 West Beattyville, KY	12/1/2017	6/30/2019 (2021)	3,300.00	Y	12 mo	2
34	PR8359	Y	Stockyard, LLC	Beh. Health, Aux, Svs	N/N	845 Angliana	8/1/2014	6/30/2016 (2022)	431,402.04	Y	24 mo	3
35	PR 8360	Y	Creech & Stafford	HR, Benefits, Knw Your RX	N/N	210 Malabu Drive, Lexington	4/15/2015	6/30/2016 (2022)	53,270.00	Y	24 mo	3
36	PR 8361 + addendum	N	Hugh Sims III	CoN	N/N	317 East Main Street Wilmore	11/17/2020	6/30/2022(2025)	13,800.00	Y	12mo	6
37	PR 8362	N	KY River District Health Department	KYHP	Y/N	115 East Main Street Whitesburg	7/1/2019	6/30/2020 (2024)	2,900.00	Y	12 mo	4
38	PR 8365	N	Pinehead, LLC	BH	N/N	300 Pinecrest Dr Morehead, KY	7/1/2020	6/30/2022 (2023)	13,200.00	Y	12 mo	1
39	PR 8366	Y	WG Holdings, TN, LLC	UK HealthCare	N/N	1648 McGrathiana, Lexington, KY	6/21/2015	6/30/2016 (2023) notice of termination 6/30/21	209,673.75	Y	12 mo	7
40	PR 8367	N	Hopkins County Health Department	Dental Clinic	N/N	Dan A. Martin Dental Clinic site	7/1/2019	6/30/2020 (2025)	13,300.00	Y	12 mo	5
41	PR 8369	Y	Switzer	CoN	N/N	2265 Harrodsburg Rd Lexington	7/1/2020	6/30/2022 (2025)	56,700.00	Y	12 mo	3
42	PR 8370	N	Weichert	CoA Farm Analysis	N/N	1990 Louisville Rd, Bowling Green, KY	7/1/2019	6/30/2020 (2023)	14,476.00	Y	12 mo	3
43	PR 8372	Y	Regency Office Court	CoN	N/N	2201 Regency Rd, Lexington, KY	12/1/2019	6/30/2020 (2023)	77,004.00	Y	12 mo	3
44	PR 8373	N	Hardy Rentals	KYHP	N/N	151 Richmond Rd Irvine, KY	7/1/2020	6/30/2022 (2025)	3,300.00	Y	12 mo	3
45	PR 8374	Y	Southcreek	CE Central	N/N	2365 Harrodsburg Rd Lexington, KY	2/1/2016	6/30/2016 (2022)	74,925.00	Y	24 mo	3
46	PR 8376	N	The Center for Rural Development	CoA Nutrition	N/N	2292 South Highway 27, Somerset, KY 42501	10/15/2015	year to year ongoing	2,400.00	Y	YTY	n/a
47	PR 8377 +A	N	Marshall County Board of Health	CoD	Y/N	267 Slickback Road Benton, KY 42025	5/1/2016	6/30/2016 (2022)	67,201.80	Y	24 mo	3
48	PR 8379	Y	Alidade Bull Lea	Coldstream Admin/RES	N/N	1500 Bull Lea Suite 100 Lexington, KY	3/1/2016	6/30/2018 (2021)	47,610.00	Y	12 mo	3
49	PR 8380	Y	Alidade Bull Lea	Internal Audit	N/N	1500 Bull Lea Suite 201 Lexington, KY	3/8/2016	6/30/2018 (2021)	85,320.00	Y	12 mo	3
50	PR 8381	Y	Alidade Bull Lea	Budget	N/N	1500 Bull Lea Suite 210 Lexington, KY	5/1/2016	6/30/2018 (2021)	61,866.00	Y	12 mo	3
51	PR 8384	Y	Creech & Stafford Property Group, Inc.	Philanthropy	N/N	210 Malabu Drive Lexington, KY	1/1/2019	6/30/2020 (2026)	128,265.30	Y	24 mo	3
52	PR 8390	N	Brighton Properties, Inc	CoA Nutrition	N/N	11 Shelby Street Florence, KY	10/13/2016	6/30/2018 (2021)	17,505.39	Y	12 mo	3
53	PR 8392	Y	Alidade Bull Lea	Social Work	N/N	1500 Bull Lea Ste 194 Lexington KY	5/25/2017	6/30/2018 (2022)	93,852.00	Y	12 mo	4
54	PR 8393	Y	Alidade Bull Lea	Nutrition	N/N	1500 Bull Lea Ste 120 Lexington KY	5/25/2017	6/30/2018 (2022)	89,586.00	Y	12 mo	4
55	PR 8394	Y	Imperial Waller	SBD	N/N	343 Waller Ave Lexington KY	5/15/2017	6/30/2018 (2022) Notice of termination 6/30/21	25,326.00	Y	12 mo	4
56	PR 8395	N	Lawrence County Fiscal Court	CoA Nutrition	Y/N	180 Bulldog Lane	7/1/2020	6/30/2022 (2024)	3,600.65	Y	24 mo	1
57	PR 8397	N	Jefferson County Farm Bureau	CoA café	N/N	4200 Gardiner View AVE	5/1/2017	06/30/2017 (2022)	17,250.00	Y	12 mo	5
58	PR 8399	N	Medical Center of Bowling Green	CoM	N/N	347 U.S. Highway 31-W Bypass, Bowling Green	7/1/2018	6/30/2020 (2026)	696,000.00	Y	24 mo	3
59	PR 8401	Y	Malabu Realty	HDI	N/N	2358 Nicholasville Rd	9/1/2017	06/30/2018 (2024)	54,510.00	Y	24 mo	3
60	PR 8404	N	Hopkins County Health Department	CoD	Y/N	412 N Kentucky Ave	7/1/2020	06/30/2021 (2025)	13,300.00	Y	12 mo	5

Lease Law Kentucky's Lease Law 6/30/2021												
	Client File Reference	Fayette County	Lease	Lessee	Government Unit/ Emergency	Lease Location	Start Date	End date	Aggregate Annual Payment	Renewal Option	Renewal Term	Renewal Extensions
61	PR 8405	N	Phillip Tackett	Epidemiology	N/N	749 W First St Morehead	10/1/2017	06/30/2019 (2022)	7,801.20	Y	12 mo	3
62	PR 8406	N	Centrl	CIO	N/N	329 NE Couch St Portland	10/29/2020	month to month ongoing	15,300.00	Y	MTM	n/a
63	PR 8407	N	Green River District Health Department	CAFE	N/N	1501 Breckenridge - Owensboro	4/9/2020	6/30/2021	1,920.00	N	N/A	
64	PR 8408	Y	Imperial Waller	Psychology	N/N	343 Waller Avenue, Ste. 303	6/1/2018	6/30/2020 (2022)	16,165.80	Y	12 mo	2
65	PR 8410	Y	465 E High St, LLC	Behavioral Health	N/N	465 East High Street, Suite 200	11/1/2018	6/30/2020 (2023)	47,018.24	Y	12 mo	3
66	PR 8411	Y	Commonwealth of KY - ESH	Beyond Birth	Y/N	1382 Bull Lea Road	10/1/2018	6/30/2021	141,450.00	N	YTY	
67	PR 8415	Y	Imperial Waller	Psychology	N/N	343 Waller Ave Suite 301	2/1/2019	6/30/2020 (2024)	16,775.00	Y	24 mo	2
68	PR 8417	Y	Bicknell & Cravens	OB-GYN	N/N	333 Waller Avenue Suite 240	6/1/2019	6/30/2020(2023)	23,302.95	Y	12 mo	3
69	PR 8418	N	Gateway District Health Dept	Be. Health	Y/N	730 West Main Street	3/1/2019	6/30/20 (2024)	8,400.00	Y	24 mo	2
70	PR 8419	Y	Wellington Partners	RX	N/N	531 Wellington Way	6/1/2020	6/30/2020(2026)	1,066,882.52	Y	24 mo	3
71	PR 8421	N	Madisonville Community College	CAFE	Y/N	2000 College Street Madisonville, KY	1/1/2019	6/30/20 (2023)	1,800.00	Y	12 mo	3
72	PR 8422	N	Bee & Clover	CEDIK	N/N	11 S. Main Street Winchester, KY	5/15/2019	6/30/20(2021)	14,400.00	Y	24 mo	1
73	PR 8426	Y	WG Holdings	UKHCIT	N/N	1648 McGrathiana	11/20/2019	6/30/2020 (2026)	626,587.50	Y	24 mo	3
74	PR 8429	Y	RWPH	CAFÉ/Equine	N/N	1509 Bull Lea	7/10/2019	2023	103,612.68	N	N/A	
75	PR 8430	Y	300 W Vine LLC	Philanthropy	N/N	300 West Vine St Ste 1600	7/1/2020	6/30/2022 (2028)	188,560.24	Y	24 mo	3
76	PR 8443	N	Leslie Co. HD	C2H	Y/N	78 Maple Street Hyden, KY	10/1/2019	6/30/2022	4,200.00	N	N/A	
77	PR 8444	N	Letcher Co HD	C2H	Y/N	115 East Main Street Whitesburg	10/1/2019	6/30/2022	4,200.00	N	N/A	
78	PR 8447	N	Jennifer Sheets	C2H	N/N	212 Riverside Drive, West Liberty, KY	1/1/2021	6/30/2022	7,200.00	N	N/A	
79	PR 8448	N	TRIO Group-EHC	WJCOIN	N/N	1239 Woodland Dr Elizabethtown	12/1/2019	6/30/2020 (2025)	21,424.50	Y	12 mo	5
80	PR 8450	Y	Imperial Waller	Psychology	N/N	343 Waller Ave, Ste 300	2/1/2020	6/30/2022 (2024)	21,960.00	Y	12 mo	2
81	PR 8451	N	Gwynne Five	HEAL	N/N	119 Fairfield Avenue Bellevue KY	1/1/2020	6/30/2020 (2023)	92,096.28	Y	12 mo	3
82	PR 8452	N	Danville First, LLC	HEAL	N/N	236 W Main St	3/1/2020	6/30/22 (2025)	15,820.00	Y	12 mo	3
83	PR 8453	N	The Skytower	HEAL	N/N	1212 Bath Ave Ste 260 Ashland, KY	2/10/2020	6/30/2022 (2024)	44,763.92	Y	12 mo	2
84	PR 8454	N	KRFDC	HEAL	N/N	311 Spangler Drive Richmond, KY	12/1/2020	6/30/2022	25,812.00	N	N/A	
85	PR 8455	N	KCTCS (Big Sandy)	HEAL	Y/N	Big Sandy Campus, Prestonsburg, KY	5/1/2020	6/30/2022 (2026)	13,750.00	Y	12 mo	6
86	PR 8456	Y	Coldstream Ventures One, LLC	SAL	N/N	1517 Bull Lea Ste 150	3/23/2020	6/30/2020 (2022)	60,299.00	Y	12 mo	2
87	PR 8457	N	Laurel Co HD	IDO	Y/N	535 Whitley Avenue London, KY	1/13/2020	MTM	4,200.00	Y	MTM	
88	PR 8458	N	Old Wolfe County Courthouse	C2H	Y/N	16 Court Street Campton, KY	12/1/2020	6/30/2022	4,200.00	N	N/A	
89	PR 8459	N	KIDDOC Properties	HES	N/N	112 Fairfield Hill Rd Bloomfield KY	4/1/2020	6/30/2022	3,600.00	N	N/A	
90	PR 8461	Y	RWPH Investments, LLC	Psychology	N/N	1509 Bull Lea Rd	8/1/2020	6/30/2022 (2027)	35,718.75	Y	12 mo	5

Lease Law Kentucky's Lease Law 6/30/2021												
	Client File Reference	Fayette County	Lease	Lessee	Government Unit/ Emergency	Lease Location	Start Date	End date	Aggregate Annual Payment	Renewal Option	Renewal Term	Renewal Extensions
91	PR 8468	N	City of Benham	BH	N/N	227 Main Street, Benham, KY	2/1/2021	6/30/2022 (2028)	4,800.00	Y	24 mo	3
92	PR 8471	N	LCCC, Inc	EDP	N/N	1300 W Muhammad Ali Blvd Louisville	2/1/2021	6/30/2022 (2024)	10,800.00	Y	24 mo	1
93	PR 8475	N	Story Spaces, LLC	EDO	N/N	900 E. Main Street Louisville, KY 40206	6/1/2021	3/31/2022	8,280.00	N	N/A	
94	PR 8479	N	Jeff & Phyllis Pendleton	CAFE	N/N	628 Deerfield Dr Versailles, KY 40383	6/10/2021	5/31/2022	22,200.00	N	N/A	



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INDEPENDENT AUDITORS' REPORT

Board of Trustees and Audit Committee
University of Louisville
Louisville, Kentucky
and
Kentucky Auditor of Public Accounts
Frankfort, Kentucky
and
Secretary of Finance and Administration Cabinet
Department of Facilities Management of the
Commonwealth of Kentucky
Frankfort, Kentucky
and
Governor of Kentucky
Frankfort, Kentucky
and
Council on Postsecondary Education
Frankfort, Kentucky

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the University of Louisville and Affiliated Corporations (University) and its aggregate discretely presented component units, which comprise the statement of net positions as of June 30, 2021, and the related statement of revenues, expenses and changes in net position and the statement of cash flows, for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated October 19, 2021. Our report includes a reference to other auditors who audited the financial statements of the University of Louisville Health, Inc., the University of Louisville Real Estate Foundation, Inc. and University of Louisville Foundation, Inc. and Affiliates, as described in our report on the University's financial statements.

In connection with our audit, nothing came to our attention that caused us to believe that the University failed to comply with the provisions of KRS 56.800 through 56.823, KRS 48.111 and KRS 48.190 as well as the Model Program Checklist for Lease Law Compliance for Postsecondary Education Institutions, insofar as they relate to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the University's noncompliance with the above-referenced provisions, insofar as they relate to accounting matters.



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Board of Trustees and Audit Committee
University of Louisville

Our audit was performed for the purpose of forming an opinion on the financial statements as a whole. The Schedule of New and Renewed Real Property Leases is presented for the purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America.

In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

This report is intended solely for the information and use of the Board of Trustees, the Audit Committee and management of the University of Louisville and is not intended and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "CliftonLarsonAllen LLP". The signature is written in a cursive, flowing style.

CliftonLarsonAllen LLP

St. Louis, Missouri
October 19, 2021

**UNIVERSITY OF LOUISVILLE
SCHEDULE OF NEW AND RENEWED REAL PROPERTY LEASES
FOR THE YEAR ENDED JUNE 30, 2021**

Lease Number	Building Description	Lease Description	Current Start Date	Current End Date	Current Rent (yearly)
BLK-L00026	Central Receiving/Stockroom	Building - BLK-L00026 - 1901 S FLOYD ST, Louisville, KY	7/1/2021	6/30/2024	114,156.00
BLK-L00036	Owensboro Cancer Center	Building - BLK-L00036 - 920 FREDRICA ST, Owensboro, KY	8/1/2000	6/30/2023	5,642.04
BLK-L00055	Human Resources & GHN	Building - BLK-L00055 - 1980 AUTHUR ST, Louisville, KY	11/5/1987	6/30/2022	81,198.96
BLK-L00062	Physical Plant Garage	Building - BLK-L00062 - 1820 ARTHUR ST, Louisville, KY	7/1/2021	6/30/2024	55,250.04
BLK-L00133	Fine Arts Parking Space	Building - BLK-L00133 - 100 E MAIN ST, Louisville, KY	6/1/2006	7/1/2031	2,640.00
BLK-L00153	Campus Health	Building - BLK-L00153 - 215 CENTRAL AVE, Louisville, KY	7/1/2009	6/30/2022	180,209.28
BLK-L00154	Brandeis School of Law/Legal Aid Society	Building - BLK-L00154 - 416 W MUHAMMAD ALI BLVD, Louisville, KY	7/1/2008	6/30/2022	15,183.00
BLK-L00229	Audit Services	Building - BLK-L00229 - 425 W LEE ST, Louisville, KY	7/1/2021	6/30/2024	77,460.00
BLK-L00252	Conn Center	Building - BLK-L00252 - 2929 S FLOYD ST, Louisville, KY	7/1/2021	6/30/2023	54,000.00
BLK-L00259	University Pointe	Building - BLK-L00259 - 2108 UNITY PL, Louisville, KY	7/1/2021	6/30/2022	3,979,271.00
BLK-L00259A	Cardinal Towne	Building - BLK-L00259A - 325 W CARDINAL BLVD, Louisville, KY	8/2/2017	6/30/2021	4,299,002.00
BLK-L00259B	Cardinal Towne Parking	Building - BLK-L00259B - 325 W CARDINAL BLVD PARKING, Louisville, KY	8/2/2017	6/30/2021	79,999.98
BLK-L00268	Speed School Garage	Building - BLK-L00268 - 1960 AND 1940 ARTHUR ST, Louisville, KY	7/1/2017	6/30/2022	105,208.40
HSC-L00020	Jewish Hospital Parking Garage	Building - HSC-L00020 - 620 E MUHAMMAD ALI BLVD, Louisville, KY	1/2/1997	7/31/2027	21,330.00
HSC-L00057	MedCenterOne Parking	Building - HSC-L00057 - BROADWAY/HANCOCK ST, Louisville, KY	12/11/2001	6/30/2022	33,000.00
HSC-L00096	Otolaryngology Department	Building - HSC-L00096 - 115 E KENTUCKY ST, Louisville, KY	8/1/2003	6/30/2022	40,038.72
HSC-L00157	Campus Health	Building - HSC-L00157 - 401 E CHESTNUT ST STE 110, Louisville, KY	6/1/2008	6/30/2022	52,113.12
HSC-L00174	Norton Academic Lease - Pediatrics	Building - HSC-L00174 - 231 E CHESTNUT ST 2ND 5TH 6TH FL, Louisville, KY	9/1/2010	10/12/2021	1.00
HSC-L00179	MedCenter One Building	Building - HSC-L00179 - 501 E BROADWAY, Louisville, KY	7/1/2012	6/30/2021	1,307,609.40
HSC-L00188	Norton Hospital - Dept of Surgery	Building - HSC-L00188 - 601 S FLOYD ST STE 220A, Louisville, KY	2/19/2008	2/18/2022	1.00
HSC-L00189	Norton Hospital - Pediatric Surgery	Building - HSC-L00189 - 315 E BROADWAY STE 565, Louisville, KY	11/20/2006	11/19/2021	67,415.76
HSC-L00190	Norton Hospital - Surgical Oncology	Building - HSC-L00190 - 315 E BROADWAY STE 310, Louisville, KY	10/31/2009	10/30/2021	97,020.00
HSC-L00214	KPD Building - Nephrology & Child Neurology	Building - HSC-L00214 - 615 S PRESTON ST, Louisville, KY	7/1/2021	6/30/2022	69,793.56
HSC-L00220	Jouett Hall	Building - HSC-L00220 - 300 E MARKET ST STE 300, Louisville, KY	12/1/2013	6/30/2022	573,870.00
HSC-L00225	KY Cancer Center Bardstown	Building - HSC-L00225 - 810 MORTON AVE, Bardstown, KY	7/1/2021	6/30/2022	3,600.00
HSC-L00226	Dental Oncology	Building - HSC-L00226 - 529 S JACKSON ST, Louisville, KY	7/1/2021	6/30/2022	11,880.00
HSC-L00228	Optimal Aging	Building - HSC-L00228 - 300 E MARKET ST STE 200, Louisville, KY	1/1/2014	5/31/2021	117,910.50
HSC-L00231	Elizabethtown Dental Clinic	Building - HSC-L00231 - 120 HELMWOOD PLZ DR, Elizabethtown, KY	7/1/2014	6/30/2022	65,100.00
HSC-L00244	NIA Center	Building - HSC-L00244 - 2900 W BROADWAY ST, 3RD FL, Louisville, KY	11/10/2014	6/30/2022	20,055.96
HSC-L00245	Outpatient Care Building/Faculty Office	Building - HSC-L00245 - 401 E CHESTNUT ST STE 460, Louisville, KY	12/18/2014	12/31/2021	51,024.48
HSC-L00247	Norton Hospital - Dept of Cardio & Thoracic Surgery	Building - HSC-L00247 - 231 E CHESTNUT ST 6TH FL, Louisville, KY	11/1/2014	10/31/2021	1.00
HSC-L00249	Paducah Cancer Center	Building - HSC-L00249 - 412 ADAMS ST, Paducah, KY	8/27/2015	6/30/2022	9,000.00
HSC-L00262	Norton Hospital - Department of Pediatrics	Building - HSC-L00262 - 601 S FLOYD ST STE 200 802, Louisville, KY	10/13/2017	10/12/2021	192,814.08
HSC-L00266	Youth Violence Prevention Resource Center	Building - HSC-L00266 - 2600 W BROADWAY, Louisville, KY	5/15/2018	6/30/2022	40,000.08
HSC-L00271	Neurosurgery	Building - HSC-L00271 - 225 ABRAHAM FLEXNER STE 204, Louisville, KY	10/16/2018	10/15/2023	46,194.48
HSC-L00279	Bowling Green Cancer Center	Building - HSC-L00279 - 2355 NASHVILLE RD, Bowling Green, KY	8/16/2019	8/15/2024	9,612.00
HSC-L00285		Building - HSC-L00285 - 4810 ALBEN BARKLEY DR, Paducah, KY	7/1/2021	6/30/2022	1.00
HSC-L00307	Ryan White Program	Building - HSC-L00307 - 1212 S 4TH ST, Louisville, KY	6/1/2021	5/31/2023	5,674.50
ATH-L00223	YUM Center	Building - ATH-L00223 - 1 ARENA PLZ, Louisville, KY	7/3/2008	9/30/2044	2,420,000.00
ATH-L00269	ESPN Studio	Building - ATH-L00269 - 1904 S FLOYD ST, Louisville, KY	6/14/2018	6/13/2028	82,875.00
ATH-L00297	The Nine Apartments	Building - ATH-L00297 - 1900 S FLOYD ST - AFFILIATION, Louisville, KY	7/1/2021	6/30/2022	34,650.00
ATH-L00300	The Nine Apartments	Building - ATH-L00300 - 1900 S FLOYD ST, Louisville, KY	8/1/2021	7/31/2022	53,763.38
ATH-L00309A	ULAA Soccer Practice Ground Lease - Churchill Park	Land - ATH-L00309A - CHURCHILL PARK A, Louisville, KY	7/28/2017	7/31/2067	15,000.00
ATH-L00309B	ULAA Soccer Practice - Churchill - Property Deed	Land - ATH-L00309B - CHURCHILL PARK B, Louisville, KY	7/31/2018	7/31/2027	50,000.00

INDEPENDENT AUDITOR'S REPORT

President Timothy C. Caboni and
Board of Regents
Western Kentucky University
Bowling Green, Kentucky
and
Kentucky Auditor of Public Accounts
Frankfort, Kentucky
and
Secretary of Finance and Administration Cabinet
Department of Facilities Management of the
Commonwealth of Kentucky
Frankfort, Kentucky
and
Governor of Kentucky
Frankfort, Kentucky
and
Council on Postsecondary Education
Frankfort, Kentucky

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of Western Kentucky University ("University"), a component unit of the Commonwealth of Kentucky, which is comprised of the statement of net position as of June 30, 2021, and the statement of revenues, expenses and changes in net position and the statement of cash flows, for the year then ended, and the related notes to the financial statements. We have issued our report thereon dated October 22, 2021.

In connection with our audit, nothing came to our attention that caused us to believe that the provisions of KRS 56.800 through 56.823, KRS 48.111 and KRS 48.190 as well as the Model Audit Program Checklist for Lease Law Compliance for Postsecondary Education Institutions applied to the University during the year ended June 30, 2021, insofar as they relate to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of the applicability of such requirements. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the applicability of such requirements, insofar as they relate to accounting matters.

This report is intended solely for the information and use of the Board of Regents and management of Western Kentucky University and is not intended to be and should not be used by anyone other than these specified parties.


Crowe LLP

Louisville, Kentucky
October 22, 2021

Additional Funding Coming to KIA Through the Bipartisan Infrastructure Law

The Bipartisan Infrastructure Law (BIL) provides additional funding for new programs to be administered through KIA's Drinking Water and Clean Water State Revolving Loan programs. Through the Drinking Water State Revolving Fund (DWSRF) there are 2 new programs which will provide funding to projects that address Lead Service Line Replacement (LSLR) and Emerging Contaminants (EC). Through the Clean Water State Revolving Fund (CWSRF) there is 1 new program which will provide funding to projects that address Emerging Contaminants (EC).

All new programs must be SRF eligible and will follow all SRF processes, including but limited to participation in the Call for Projects, invitations in rank order from a project priority list, Davis-Bacon wage determinations and a NEPA-like environmental review process.

KIA and the Kentucky Division of Water (DOW) are planning to execute the new programs alongside the base SRF programs. These new programs will use the framework below. Additional information will be released as details unfold.

- The FY 2023 Intended Use Plan (IUP) to be released in Spring 2022 will include information to allow utilities to get ready for the new programs, along with the SRF base program information.
- The Call for Projects is usually in the range September to mid-December and projects are submitted through the WRIS system.
- The projects will go to DOW for ranking and project review to produce the ranked list of eligible projects.
- In the spring of 2023 KIA will begin invitations from that ranked project list from DOW.
- Upon acceptance of the invitations, applicants will get their application material used to apply for SRF funding with KIA.
- KIA will request all of the application documents, begin internal process of assigning projects to analysts, beginning project analysis, and making presentations to the KIA board for awards.

Within this framework there are some details that KIA nor DOW know a timeframe for quite yet:

- To produce the ranked list mentioned above, KY DOW needs the implementation guidance from US EPA, which the US EPA released 2 days ago.
- DOW will use the implementation guidance to formulate ranking criteria and project scoring guidance with a public participation process.
- Once finalized, the ranking criteria and scoring guidance will be available for the Call for Projects in Fall of 2022.




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF WATER

March 8, 2022

MEMORANDUM

SUBJECT: Implementation of the Clean Water and Drinking Water State Revolving Fund Provisions of the Bipartisan Infrastructure Law

FROM: Radhika Fox
Assistant Administrator 

TO: EPA Regional Water Division Directors
State SRF Program Managers

Overview

President Biden signed the Bipartisan Infrastructure Law on November 15, 2021. The law's investment in the water sector is nothing short of transformational. It includes \$50 billion to the U.S. Environmental Protection Agency (EPA) to strengthen the nation's drinking water and wastewater systems – the single largest investment in clean water that the federal government has ever made.

EPA is committed to a productive partnership with states, tribes, and territories to maximize the impact of these funds in addressing urgent water challenges facing communities. The majority of water infrastructure dollars will flow through the Clean Water and Drinking Water State Revolving Funds (SRFs). For decades, the SRFs have been the foundation of water infrastructure investments, providing low-cost financing for local projects across America. EPA, states, tribes, and territories have successfully worked together to steward more than \$200 billion in SRF funds since 1988.

This memorandum provides information and guidelines on how EPA will award and administer SRF Capitalization Grants appropriated to the State and Tribal Assistance Grants (STAG) account in the Bipartisan Infrastructure Law (BIL) (P.L. 117-58), also known as the "Infrastructure Investment and Jobs Act of 2021" (IIJA). The information is organized in the following manner:

- **Implementation Memorandum.** This memorandum reviews key priorities for SRF BIL implementation. EPA Regional Water Divisions and Office of Water stand ready to work closely with states, tribes, and territories to collaboratively accomplish these goals.
- **Attachment 1: BIL Funding Implementation.** Attachment 1 provides detailed technical information pertaining to program requirements for the five SRF funds through the BIL: CWSRF General Supplemental Funding, CWSRF Emerging Contaminants Funding, DWSRF General

Supplemental Funding, DWSRF Emerging Contaminants Funding, and DWSRF Lead Service Line Replacement Funding.

- **Attachment 2: CWSRF Base Program Implementation.** Attachment 2 reviews key BIL amendments to the Clean Water Act (CWA), which include new provisions applicable to the base CWSRF programs and, unless otherwise directed, are also applicable to projects funded in whole or in part with funds made available by BIL.
- **Attachment 3: DWSRF Base Program Implementation.** Attachment 3 reviews key BIL amendments to the Safe Drinking Water Act (SDWA), which include new provisions applicable to the base DWSRF programs and, unless otherwise directed, are also applicable to projects funded in whole or in part with BIL funds.

This implementation memorandum is expected to be applicable to all five years of BIL appropriations. EPA will issue procedures during FYs 2023 through 2026 with allotment tables and any other necessary program updates. EPA will also issue, and periodically update, a list of questions and answers.

Key Priorities

Provide Flexibility to Meet Local Water Needs

A fundamental principle of the SRFs – which is reaffirmed in this BIL implementation memorandum – is the flexibility provided to states and borrowers to address a wide variety of local water quality and public health challenges. EPA continues to support and actively encourage flexibility in the implementation of BIL SRF funding. For borrowers, the SRFs remain a flexible source of capital that can be used in combination with additional funding sources to finance water infrastructure projects. With supplemental funding to the CWSRF and DWSRF – and creation of dedicated funding within the SRFs to tackle lead and emerging contaminants – states have a great deal of flexibility in program administration. This implementation memorandum and accompanying technical attachments confirm state flexibilities for the BIL SRF funding, including, but not limited to, the following:

As it relates to program administration and processes, states have the flexibility to:

- Determine priorities and select projects.
- Combine Intended Use Plans (IUPs) and Project Priority Lists (PPLs) for both the BIL and base funding or submit separate IUPs and PPLs for both base and BIL funding.
- Apply for conditional or partial grants.
- Craft single assistance agreements (e.g., loans or grants) that contain multiple types of construction components and activities funded by multiple pots if the funds are tracked separately.
- Design and manage the application process.
- Take administrative funds from each funding stream.
- Transfer funds between programs to address state needs.
- Use recycled funds for any eligible purpose.
- Set interest rates and repayment terms.

As it relates to the additional subsidy, states have the flexibility to:

- Define disadvantaged community and affordability criteria in a manner that is consistent with SDWA and CWA.
- Determine the amount of additional subsidization provided in each assistance agreement.

As it relates to emerging contaminants, states have the flexibility to:

- Choose projects that are CWSRF eligible whose primary purpose is to address emerging contaminants using a broad definition.
- Select projects that are DWSRF eligible whose primary purpose must be to address emerging contaminants, with a focus on PFAS, using the broad CCL 1-5.

Additionally, the Department of the Treasury has determined that State and Local Financial Recovery Funds under the American Rescue Plan Act available for the provision of government services, up to the amount of the recipient's reduction in revenue due to the public health emergency, may be used to meet the non-federal match requirements of the DWSRF and CWSRF programs. This provides states additional flexibility to meet match requirements included in the BIL. EPA will be providing a fact sheet to state SRF programs to support utilization of this flexibility.

Increase Investment in Disadvantaged Communities

A key priority of BIL is to ensure that disadvantaged communities benefit equitably from this historic investment in water infrastructure. Disadvantaged communities can include those with environmental justice concerns that often include low-income people and communities of color. Disadvantaged communities exist in every state, tribe, and territory and encompass urban, suburban, and rural areas across America. Disadvantaged communities experience, or are at risk of experiencing, disproportionately high exposure to pollution – whether in air, land, or water.

The BIL mandates that 49% of funds provided through the DWSRF General Supplemental Funding and DWSRF Lead Service Line Replacement Funding must be provided as grants and forgivable loans to disadvantaged communities. The BIL also requires that not less than 25% of funds provided through the DWSRF Emerging Contaminants Funding be provided as grants and forgivable loans to disadvantaged communities or public water systems serving fewer than 25,000 people. The SDWA requires states to establish a definition of disadvantaged communities that can receive this additional subsidization.

For the CWSRF, the BIL mandates that 49% of funds provided through the CWSRF General Supplemental Funding must be provided as grants and forgivable loans to the following assistance recipients or project types:

- Municipalities that meet the state's affordability criteria.
- Municipalities that do not meet the state's affordability criteria but seek additional subsidization to benefit individual ratepayers in the residential user rate class.
- Entities that implement a process, material, technique, or technology that addresses water or energy efficiency goals; mitigates stormwater runoff; or encourages sustainable project planning, design, and construction.

Congress, acting in a bipartisan fashion, included these provisions to ensure that disadvantaged communities fully benefit from these historic investments in the water sector. EPA will actively work with states to fully meet Congressional intent. This will include helping states identify communities in need, affirmatively reviewing SRF IUPs, and conducting annual reviews that evaluate progress toward this bipartisan requirement.

EPA will collaborate with state SRF programs to share models, examples, and build state capacity to target resources to disadvantaged communities. In addition to the technical assistance offered by the states to disadvantaged communities, EPA will launch a substantial technical assistance program – in

close collaboration with states – to provide assistance directly to disadvantaged communities that lack the financial, managerial, and technical capacity to access the SRF program.

Throughout the five years of BIL implementation, EPA expects states to:

- **Evaluate and revise, as needed, the DWSRF disadvantaged community definition and CWSRF affordability criteria.** This definition and these criteria should capture both urban and rural disadvantaged communities and include criteria that are consistent with the appropriate statute. For example, a state definition of “disadvantaged” under the SDWA entirely based on population and without reference to affordability is problematic. The technical guidance in Attachment 1, Appendix E provides further information on disadvantaged community definitions/affordability criteria and EPA oversight of this provision.
- **Evaluate the SRFs’ priority point system for project ranking commensurate with need.** Priority points may need to be redistributed to ensure disadvantaged communities are receiving funding. For example, states should evaluate the weight associated with points given for different ranking criteria to determine whether they act as a barrier to, or encourage, funding for disadvantaged communities.
- **Technical assistance funding.** EPA recommends states use the full DWSRF 2% small system technical assistance set-aside and the newly available CWSRF 2% technical assistance funds to enhance or build programs that proactively identify, reach out to, and provide assistance to rural, small, and tribal publicly owned treatment works and drinking water systems, particularly in disadvantaged communities. The programs should be designed to help disadvantaged communities identify needs, develop projects, apply for funding, design and implement projects, build capacity, and create training and career pathways.
- **Engage residents and community stakeholders in disadvantaged communities.** SRFs have successfully funded many projects in small and disadvantaged communities in the past. To continue and deepen this success, it may be necessary to develop relationships with new constituencies to reach disadvantaged communities with technical assistance and funding. EPA encourages states to reach beyond traditional stakeholder organizations and engage neighborhood and other organizations connected to the community to help identify needs, comment on IUPs, and communicate priorities.

Working collaboratively, EPA and SRF programs can make progress towards Justice40, which aims to ensure that federal agencies deliver at least 40% of benefits from certain investments to disadvantaged communities.

Make Rapid Progress on Lead Service Line Replacement

The BIL contains a historic \$15 billion in dedicated funding through the DWSRF for lead service line (LSL) identification and replacement. This funding is being provided to states with no match requirement. EPA will collaborate with state SRF programs to share models, guidance, and build state capacity to assist local communities and ensure lead service line funding is effectively and equitably deployed. DWSRF supplemental funding and base funding can be used for LSL identification and replacement.

As states plan for the use of these funds, EPA recommends:

- **Working closely with local water agencies to rapidly complete LSL inventories.** While inventories do not need to be complete before LSL replacement begins, EPA strongly encourages

states to devote funding and technical assistance to help local water systems develop LSL inventories and undertake replacement planning. Under the Lead and Copper Rule Revisions, all water systems must have initial inventories by October 2024, but EPA urges states to employ technical assistance set-aside funds to help water systems develop inventories more quickly, wherever practicable. Preparing the inventory will allow systems to assess the magnitude of their LSLs, better identify sampling locations, and begin planning for LSL removal actions, including applying for BIL funds.

- **Supporting water agencies in planning for full, not partial, LSL replacement.** Any project funded under this \$15 billion appropriation for the replacement of LSLs must replace the entire LSL, not just a portion, unless a portion has already been replaced. States should affirmatively convey this to potential SRF applicants to ensure that they propose projects that fully replace, and pay for, both public and private LSLs. This BIL requirement helps address a long-standing equity challenge – for some Americans, the cost to replace their portion of LSLs is prohibitively high. Americans unable to replace their portion of the LSL remain disproportionately exposed to lead and its harmful impacts.

Address PFAS and Emerging Contaminants

The BIL provides \$5 billion through the SRFs to reduce people’s exposure to perfluoroalkyl and polyfluoroalkyl substances (PFAS) and other emerging contaminants through their drinking water and to help address discharges through wastewater and, potentially, nonpoint sources. This is a unique opportunity to prioritize investment to local communities that are on the frontlines of PFAS contamination and that have few options to finance solutions through traditional programs. The BIL provides emerging contaminants funding through the SRFs that must be distributed to communities entirely as forgivable loans or grants. States are not required to provide matching funds. This demonstrates an unprecedented commitment from Congress to addressing PFAS water contamination across the nation.

PFAS are not the only emerging contaminants that threaten our water supplies and environment. Water projects that address other emerging contaminants will also be eligible for funding under this program. In Attachment 1, Appendices B and C, EPA has provided a description of emerging contaminants for the SRF programs to use in evaluating project eligibility.

Support Resilience and One Water Innovation

One of the defining features of the SRFs is the broad range of eligible projects that states can fund to flexibly support priority needs. EPA encourages states to utilize the significant increase in SRF funding for infrastructure projects that make water systems more resilient to all threats – whether it is natural disasters, climate change, or threats such as bioterrorism and cyber-attacks.

States are strongly encouraged to fund projects that:

- **Foster resilience to all threats and hazards.** Consistent with Presidential Policy Directive (PPD) 21, critical infrastructure must be secure and resilient to all threats and hazards, both natural and manmade, in an increasingly electrified, digitized, and interconnected society. EPA urges states to use the historic increase in SRF funding to foster water, wastewater, and stormwater system resilience to all hazards, including new and emerging threats like cyber-attacks.
- **Support climate adaptation.** EPA strongly encourages states to support water, wastewater, and stormwater infrastructure projects that apply the best available and most geographically relevant

climate information, projections, and standards, such as the Federal Flood Risk Management Standard. States should consider how to incorporate climate resilience criteria into their prioritization of SRF funding under the BIL.

- **Drive toward energy efficient and climate smart water systems.** Water and wastewater systems are significant energy users and release potent greenhouse gases, including nitrous oxide and methane. EPA strongly encourages states to utilize BIL funding to support local water and wastewater agencies' efforts to reduce nitrous oxide and methane emissions, incorporate renewable energy generation, and complete other projects that reduce the greenhouse gas footprint of the water industry.

Support American Workers and Renew the Water Workforce

The BIL is not only an opportunity to reinvest in America's water infrastructure, but also an opportunity to invest in the American worker. BIL investments will create jobs in construction, operations, and maintenance, and other family-supporting careers – at a pivotal moment when more than one-third of the water workforce will retire in the next five years. Throughout BIL implementation, EPA is committed to working with states, tribes, and territories – as well as labor organizations, employers, and educators – to renew America's water workforce and create good-paying jobs in communities across America.

As states implement SRF funding, they should:

- Enforce long-standing Davis-Bacon related act prevailing wage requirements across projects that receive CWSRF and DWSRF resources, as required under federal law.
- Encourage pre-apprenticeship, registered apprenticeship, and youth training programs that open pathways to employment.
- Encourage SRF funding recipients to support safe, equitable, and fair labor practices by adopting collective bargaining agreements, local hiring provisions (as applicable), project labor agreements, and community benefits agreements. EPA, in collaboration with the Department of Labor, will provide information and tools to support these efforts.

Cultivate Domestic Manufacturing

Acting in a bipartisan fashion, Congress passed the Build America Buy America (BABA) Act in 2021, concurrently with the BIL. Congress established this domestic preference program to create long-term opportunities for domestic manufacturers and manufacturing jobs and build resilient domestic supply chains for a wide range of products.

For SRF recipients, BABA expands existing American Iron and Steel (AIS) requirements (which EPA has implemented since 2014) to include construction materials and manufactured goods.

The Office of Management and Budget will release program guidance to federal agencies. EPA will then issue implementation procedures for BABA compliance for federal water infrastructure funding programs. EPA recognizes this is a new and complex provision, and we will work closely with states, tribes, and territories on technical assistance and training.

As states deploy BIL SRF funding, programs should:

- Oversee BABA implementation across state SRF-funded projects, as applicable, and provide detailed information on BABA compliance requirements, flexibilities, and processes to recipients.
- Inform SRF grant and loan recipients of the domestic preference requirements. EPA will work with states to develop and provide information to SRF recipients.
- Collaborate with EPA and industry to incentivize and grow domestic supply chains and U.S. manufacturing capacity for products essential to drinking water, wastewater, and stormwater infrastructure.
- Educate funding recipients about their eligibility for waivers and provide help applying for waivers. EPA will develop appropriate waivers and processes to facilitate a smooth transition to these expanded requirements.

Fully Enforce Civil Rights

Under Title VI of the Civil Rights Act, EPA has a responsibility to ensure that federal funds are not being used to subsidize discrimination based on race, color, or national origin. This prohibition against discrimination under Title VI has been a statutory mandate since 1964, and EPA has had Title VI regulations since 1973. EPA's nondiscrimination regulations prohibit recipients of EPA financial assistance from taking actions in their programs or activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin (including limited English proficiency), age, disability, or sex. EPA intends to carefully evaluate the implementation of SRF funding under the BIL to ensure compliance with civil rights laws. EPA will provide interested states with technical assistance and training to support their compliance with Title VI obligations.

Refine State SRFs to Build the Pipeline of Projects

EPA encourages states to strategically use new authorities and funds from BIL as a catalyst to continue building and maintaining a robust project pipeline of SRF projects. It is critical that states use all funds—both from BIL and the base SRF programs—in a timely and expeditious manner. At the same time, sustainable projects are necessary to transforming the sector. To help achieve this balance, EPA recommends states use practices already exemplified in some SRF programs:

- **Simplify and streamline the application process.** Burdensome application processes, additional program requirements, or other barriers may discourage program participation from disadvantaged communities. States should take actions that reduce the burden including moving to a digital application process, coordinating applications and requirements across funding programs, and more. States are encouraged to introduce greater flexibility to the application timeline, such as eliminating application deadlines or operating a year-round application cycle with quarterly project ranking.
- **Use set-asides and technical assistance.** Some disadvantaged communities lack the capacity to navigate the SRF application process and manage the project. States should offer and expand pre-development and pre-construction funding to seed project development for small and disadvantaged communities.
- **Encourage integrated, regional approaches.** Regionalization, partnerships, and/or non-physical consolidation may be the best option for some systems. This can be encouraged and

incentivized through the SRFs. State SRF programs should explore ways to provide funding to communities that agree to connect small systems to their wastewater and drinking water systems. SRF programs should also employ state-led regional education and planning opportunities, giving emphasis to integrated planning as authorized under CWA Section 402(s).

- **Increase internal and external outreach and communications about the SRF programs and the BIL funding.** This could include presentations or other marketing events to municipal and utility officials, targeted outreach to distressed water systems or those with substantial infrastructure needs, workshops and webinars, in-person training programs, training video or digital modules on the application process, and partnering with community groups and philanthropic organizations.

Conclusion

Building on the long and successful history of the SRFs, EPA, state and tribal water programs, and local governments can transform the water sector through this funding. EPA is committed to ensuring all communities have access to drinkable, fishable, and swimmable water – particularly historically disadvantaged communities. EPA is committed to a productive partnership with states, tribes, and territories to maximize the impact of these funds in addressing urgent water challenges facing communities.

Attachments

Attachment 1: BIL Funding Implementation

Guidance on CWSRF General Supplemental Funding, CWSRF Emerging Contaminants Funding, DWSRF General Supplemental Funding, DWSRF Emerging Contaminants Funding and DWSRF Lead Service Line Replacement Funding.

Appendices to Attachment 1

- A. Bipartisan Infrastructure Law: Environmental Protection Agency: 2022 State Revolving Fund (SRF) Grants to States, Tribes, and Territories by Program
- B. CWSRF Definition of Emerging Contaminants
- C. Detailed List of DWSRF Emerging Contaminants Project and Activity Examples
- D. Detailed List of DWSRF Lead Service Line Replacement Project and Activity Examples
- E. Additional Information to Assist States with Developing a Disadvantaged Community Definition and Affordability Criteria

Attachment 2: Implementation of CWSRF-Related Amendments in the BIL

The BIL amends the CWA to include new provisions applicable to the base CWSRF programs and unless otherwise directed, applicable to projects funded in whole or in part with funds made available by BIL.

Attachment 3: Implementation of DWSRF-Related Amendments in the BIL

The BIL amends the SDWA to include new provisions applicable to the base DWSRF programs and unless otherwise directed, applicable to projects funded in whole or in part with funds made available by BIL.

Attachment 1: BIL Funding Implementation

Implementation of CWSRF and DWSRF Funding in the Bipartisan Infrastructure Law (BIL)

This attachment assists states in implementing funding appropriated from the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act (IIJA) of 2021, (P.L. 117-58), signed by President Biden on November 15, 2021. The following information guides the implementation of five BIL appropriations:

- CWSRF General Supplemental Funding
- CWSRF Emerging Contaminants Funding
- DWSRF General Supplemental Funding
- DWSRF Emerging Contaminants Funding
- DWSRF Lead Service Line Replacement Funding

I. BACKGROUND

The BIL appropriates more than \$43 billion to be administered through the existing CWSRF and DWSRF programs from fiscal years (FYs) 2022 through 2026. There are two appropriations per year for the CWSRF and three appropriations per year for the DWSRF. Table 1 below shows a summary of the five distinct appropriations and annual appropriation amounts. Per statute, EPA will use the existing SRF allotment formulas¹ for all BIL SRF appropriations. For the DWSRF, the allotment formula will change upon release of new data derived from the Seventh Drinking Water Needs Survey and Assessment (DWINSA). Allotment tables for FY 2022 are included in Appendix A.

Funds will remain available for obligation to states for the fiscal year in which they are appropriated and the following fiscal year, per the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA).² For example, EPA will make the FY 2022 funds available for obligation to states during FY 2022 and FY 2023. EPA strongly encourages states to apply in the first fiscal year of availability. States must make commitments (i.e., they must sign assistance agreements, such as loans, with eligible recipients) within one year after the receipt of each capitalization grant payment from EPA.³ Once EPA obligates the capitalization grants to the states, the funds will be available to states pursuant to grant regulations.

States administer the funds through the existing SRF programs. SRF requirements and procedures apply to these new funds. The partnership between the federal government and states is key to addressing our significant water infrastructure challenges. A central tenant of this partnership is the flexibility provided to states that allow for funding to be used to address each state's unique needs. General information on the SRF programs can be found at: <https://www.epa.gov/cwsrf> and <https://www.epa.gov/dwsrf>.

¹ 33 U.S.C. §1384(c) and 42 U.S.C. 300j-12 (a)(1)(E)

² 33 U.S.C. §1384(c)(2) and 42 U.S.C. 300j-12 (a)(1)(E)

³ 40 CFR § 35.3135(c) and §35.3550(e)

Local drinking water and wastewater systems (and other eligible assistance recipients) apply for BIL SRF funding directly through their state [CWSRF](#) and [DWSRF](#) programs. Local leaders should direct questions about applications and state program eligibilities to their state SRF managers.

Table 1. Summary of BIL Appropriations (FY 2022 through FY 2026)						
Appropriation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Five Year Total
CWSRF General Supplemental	\$1,902,000,000	\$2,202,000,000	\$2,403,000,000	\$2,603,000,000	\$2,603,000,000	\$11,713,000,000
CWSRF Emerging Contaminants	\$100,000,000	\$225,000,000	\$225,000,000	\$225,000,000	\$225,000,000	\$1,000,000,000
DWSRF General Supplemental	\$1,902,000,000	\$2,202,000,000	\$2,403,000,000	\$2,603,000,000	\$2,603,000,000	\$11,713,000,000
DWSRF Emerging Contaminants	\$800,000,000	\$800,000,000	\$800,000,000	\$800,000,000	\$800,000,000	\$4,000,000,000
DWSRF Lead Service Line Replacement	\$3,000,000,000	\$3,000,000,000	\$3,000,000,000	\$3,000,000,000	\$3,000,000,000	\$15,000,000,000

II. APPLICATION REQUIREMENTS FOR BIL CAPITALIZATION GRANT FUNDS

EPA recommends that states submit grant applications to EPA as soon as possible. States have the flexibility to combine Intended Use Plans (IUPs) and Project Priority Lists (PPLs) for both the BIL and base funding or submit separate IUPs and PPLs for both base and BIL funding. If combined, states must construct the IUPs and PPLs to ensure that EPA and the public can clearly identify BIL- and base-eligible projects, including identifying additional subsidization and funding amounts. The IUPs and PPLs must meet existing SRF requirements. Because of the BIL’s appropriations for particular purposes, and to be consistent with existing grants regulations and reporting requirements, states must submit separate grant applications for each BIL appropriation, and separately from “base” SRF capitalization grant applications in grants.gov.

To receive BIL funding, states must submit the following documents to EPA:

A. INTENDED USE PLANS

Section 606(c) of the CWA and section 1452(b) of the SDWA require the states to prepare a plan identifying the intended uses of the funds in the SRF and describing how those uses support the goals of the SRF. An IUP, meeting all requirements of Title VI of the CWA and regulations, or section 1452 of the SDWA and regulations, will be required for EPA’s approval of a grant award and release of awarded funds. Public engagement is strongly encouraged during the state’s solicitation stage to ensure an abundance of diverse applicants as the IUP is being developed. EPA will review IUPs to ensure consistency between the state’s DWSRF disadvantaged community definition or CWSRF affordability criteria and the statutory requirements.

1. List of Projects: States have flexibility to fund a wide variety of projects. Under CWA §606(c)(1), the IUP must include a list of publicly owned treatment works projects on the state’s Project Priority List (PPL), developed pursuant to section 216 of the CWA, that are eligible for

SRF construction assistance. This list must include: the name of the community; permit number or other applicable enforceable requirement, if available; the type of financial assistance; and the projected amount of eligible assistance. The IUP must also contain a list of the activities eligible under section 603(c) of the CWA, including the nonpoint source and national estuary protection activities that the state expects to fund from its SRF. The fundable list must contain eligible projects for which the total cost of assistance requested is at least equal to the amount of the grant(s) being applied for. States should make every effort to identify projects for all available SRF funds (i.e., capitalization grants, recycled funds, interest earnings, etc.) to ensure previously appropriated dollars revolve.

Under SDWA, states retain similar funding flexibility. SDWA §1452(b)(3)(B), requires state IUPs to include a list of projects that are eligible for assistance under section 1452 and are to be assisted pursuant to the plan (i.e., a PPL). This list must include: the name of the public water system, a description of the project, the priority assigned to the project, the expected terms of financial assistance, and the size of the community served. The IUP must contain a fundable list of projects for which the total cost of assistance requested is at least equal to the amount of the grant being applied for. States should make every effort to identify projects for all available SRF funds (i.e., capitalization grants, recycled funds, interest earnings, etc.) to ensure previously appropriated dollars revolve. The IUP must also contain a comprehensive list of projects that may receive DWSRF assistance in the future. A state may combine the fundable and comprehensive lists into one list, provided that projects which are expected to receive assistance from available funds designated for use in the current IUP are identified.

2. Priority Setting: The IUP must include a priority system for ranking individual projects for funding that provides sufficient detail for the public and EPA to readily understand the criteria used for ranking. The priority for the use of funds should address water quality, the most serious risks to public health, ensure compliance, and assist systems most in need based on the state's affordability criteria and disadvantaged community definition. States should review their SRF priority setting system to ensure they adequately address these priorities.

3. Explanation About Administrative Funds: The maximum *annual* amount of CWSRF and DWSRF money (not including any fees collected that are placed in the fund) that may be used to cover the reasonable costs of administering the fund (i.e., all BIL and base appropriations) is the greatest of the following: an amount equal to 4% of all grant awards to the fund received by a state CWSRF (less any amounts that have been used in previous years to cover administrative expenses) or DWSRF for the fiscal year; \$400,000; or 1/5 percent of the current valuation of the fund. The BIL did not alter these options or the calculation of available administrative funds and verification procedures already in place.

4. CWSRF 2% Technical Assistance: BIL includes the following provision:

(k) Additional Use of Funds.--A State may use an additional 2 percent of the funds annually awarded to each State under this title for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.

States have the flexibility to use up to an amount equal to 2% of their annual CWSRF capitalization grant for the purpose of hiring staff, nonprofit organizations, or regional, interstate,

or municipal entities to assist rural, small, and tribal publicly owned treatment works. The form of that assistance is flexible and could include, but is not limited to, community outreach, technical evaluation of wastewater solutions, preparation of applications, preliminary engineering reports, and financial documents necessary for receiving SRF assistance. This provision applies to the base program, the BIL CWSRF General Supplemental fund, and the BIL CWSRF Emerging Contaminants fund.

The maximum amount of CWSRF money that may be used to provide technical assistance consistent with section 603(k) of the CWA is an amount equal to 2% of all grant awards received by a state CWSRF after November 15, 2021. If a state does not utilize the full amount of the technical assistance funds allowed under a capitalization grant, they may reserve the right to utilize the unused portion at a later date.

States must include in the IUP the amount of the technical assistance funds they plan to use and a description of the activities they plan to fund. In the Annual Report and the SRF Reporting System, states must provide a detailed accounting of the use of the funds. EPA encourages states to maximize the use of the 2% technical assistance funds to identify and conduct proactive outreach to, and facilitate applications from, disadvantaged communities previously unable to begin or complete SRF funding requirements.

5. Public Review and Comment: The IUP must contain a statement of how the state met the requirement of CWA section 605 or SDWA section 1452(b)(1) for meaningful public review and comment on the preparation of the IUP. When seeking public review, states should include a diverse set of potential interested parties, including community groups, neighborhood associations, environmental organizations, environmental justice organizations, and public health groups, that represent a broad spectrum of community interests and extend beyond those on existing mailing lists and traditional participants in the SRF process. In addition, states should strive to achieve the following objectives when seeking public review: (1) assure that the public has the opportunity to understand official programs and proposed actions, and that the state fully considers the public's concerns; (2) assure that the state does not make any significant decision on any SRF activity without consulting interested and affected segments of the public; (3) assure that the state action is as responsive as possible to public concerns; (4) encourage public involvement in implementing the SRFs; (5) keep the public informed about significant issues and proposed project or program changes as they arise; (6) foster a spirit of openness and mutual trust between the state and the public; and (7) use all feasible means to create opportunities for public participation, and to stimulate and support public participation. States should make a particular effort to identify and engage organizations that work in disadvantaged communities. EPA will review IUPs with particular focus on whether the state has meaningfully engaged an inclusive spectrum of community interests.

6. Draft IUPs for Purposes of Conditional Grants: States may need additional time to complete public review or approval of an IUP by boards or state governments and have the flexibility to request conditional grants to facilitate expeditious use of funds upon final public review and/or approval. To receive a conditional grant, a draft IUP must be ready for public review and/or consideration by state government bodies and include the information shown above. Conditional awards will contain a grant condition stating that funds may not be drawn until an IUP has completed the review process. States must submit an IUP that has completed the public review process and satisfied the term and condition of the grant before funds may be drawn. This option provides additional flexibility to states to accelerate the grants process.

7. IUPs for Purposes of Partial Grants: States that have not identified projects in an amount equal to the funds they are eligible to receive under each BIL appropriation have the flexibility to apply for a partial award. The IUP for a partial award must include the information shown above. EPA will only make a partial award for an amount equal to the total cost of the project list. An amended IUP including projects in an amount equal to the remaining funds available to the state under BIL must be submitted by the state to EPA before the grant is amended to award the remaining funds. This includes a revised grant application package through grants.gov. Certain requirements (e.g., additional subsidization and green project reserve) are calculated based on a percentage of the capitalization grant *awarded*. Per statute, states may not apply exclusively for the set-asides or the additional subsidization portion of the capitalization grant.

B. OTHER APPLICATION COMPONENTS

1. SF-424 Application for Federal Assistance, with original signature, including:
 - a. SF-424A, Budget by categories and indirect cost rate.
 - b. SF-424B, Assurances for non-construction programs.
2. Certification regarding lobbying and SF LLL (applicable if EPA funds are over \$100,000).
3. EPA Form 4700-4 pre-award compliance review report.
4. Detailed itemized budget.
5. Copy of negotiated indirect cost rate agreement.
6. Key contacts form.
7. Attorney General's opinion, as required by 40 CFR §35.3110(d)(2), and 40 CFR §35.3545(d).
8. If applicable, workplans for DWSRF set-asides.

III. SUMMARY OF BIL PROVISIONS

The BIL amends the CWA and SDWA to include several new provisions that apply to both base SRF programs as well as projects funded in whole or in part with funds made available by the BIL. The BIL also includes several provisions specific to projects funded in whole or in part with BIL. These provisions are described below.

All provisions promulgated through statute, guidance, or regulations issued by EPA for the implementation of the CWSRF and DWSRF programs will remain in effect (e.g., American Iron and Steel and Davis-Bacon related prevailing wage requirements) unless they are inconsistent with the BIL, capitalization grant conditions, or the requirements contained in this document. The BIL supplemental appropriations are federal funds and therefore all equivalency requirements apply to projects funded by BIL.

A. CWSRF GENERAL SUPPLEMENTAL PROVISIONS

1. Eligible Use of Funds: All CWSRF-eligible projects and activities may be funded from this appropriation.

2. Match: BIL contains the following provision:

“Provided further, That for the funds provided under this paragraph in this Act in fiscal year 2022 and fiscal year 2023, the State shall deposit in the State loan fund from State moneys an amount equal to at least 10 percent of the total amount of the grant to be made to the State, notwithstanding sections 602(b)(2), 602(b)(3) or 202 of the Federal Water Pollution Control Act”

This language reduces the state match requirement to 10% of the total amount of the capitalization grant in fiscal years 2022 and 2023. The match requirement returns to 20% of the capitalization grant in fiscal year 2024 and thereafter.

3. Additional Subsidization: BIL contains the following provision:

Provided further, That for the funds made available under this paragraph in this Act, forty-nine percent of the funds made available to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State to provide subsidy to eligible recipients in the form of assistance agreements with 100 percent forgiveness of principal or grants (or any combination of these), notwithstanding section 603(i)(3)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1383):

This language requires states to provide 49% of the capitalization grant amount as additional subsidization in the form of principal forgiveness or grants.

Additional subsidization must be provided to eligible CWSRF assistance recipients or project types as described in section 603(i) of the CWA:

- to benefit a municipality that meets the state's affordability criteria as established under the CWA section 603(i)(2);
- to benefit a municipality that does not meet the state's affordability criteria but seeks additional subsidization to benefit individual ratepayers in the residential user rate class; or
- to any eligible recipient to implement a process, material, technique, or technology that addresses water or energy efficiency goals; mitigates stormwater runoff; or encourages sustainable project planning, design, and construction.

State Affordability Criteria

Section 603(i)(2) of the CWA specifically requires states to develop affordability criteria for distribution of additional subsidization based on income, unemployment data, population trends, and other data determined relevant by the state. The IUP must include the state's criteria for providing additional subsidy.⁴ The BIL explicitly seeks to ensure that disadvantaged communities have access to funds to improve their wastewater infrastructure to protect public health and improve water quality. Given the level of funding under BIL, the state should review its definition to ensure that it is sufficient to address affordability issues that impact the goals of the Clean Water Act within the state.

Within the CWA statutory framework, EPA expects states will review, refine, and improve their CWSRF affordability definitions and priority point systems to ensure that additional subsidy is provided to disadvantaged communities to the maximum extent possible. EPA recognizes some communities will require assistance in meeting requirements to receive SRF funds and expects states to use the 2% technical assistance funds noted above to attract disadvantaged communities including those previously unable to complete SRF funding requirements. EPA encourages state SRF programs to identify and proactively reach out to disadvantaged communities that have wastewater needs but are not yet on a state PPL. EPA also expects states to offer benefits to

⁴ 40 CFR § 35.3150

disadvantaged communities in addition to additional subsidization, including lower interest rates and extended loan terms.

Allocating Additional Subsidy

States must include in the IUP, the amount and type of additional subsidy that is available under each appropriation, the projects that will receive this subsidy, and the respective amounts. The BIL explicitly seeks to ensure that disadvantaged communities receive funds to improve their water and wastewater infrastructure. Although the CWA does not require states to provide additional subsidization only to communities that meet the state's affordability criteria, states are strongly encouraged to use these funds for communities or subsets of communities that are most in need and use the 2% technical assistance funds to provide support necessary to ensure these communities receive needed funding.

Additional information on the management of the additional subsidization can be found in Section IV.B. of this guidance.

B. CWSRF EMERGING CONTAMINANTS PROVISIONS

1. Eligible Use of Funds: BIL contains the following provision:

“Provided further, That funds provided under this paragraph in this Act shall be for eligible uses under section 603(c) of the Federal Water Pollution Control Act that address emerging contaminants”

Emerging contaminants refer to substances and microorganisms, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment. These substances, microorganisms, or materials can include many different types of natural or manufactured chemicals and substances – such as those in some compounds of personal care products, pharmaceuticals, industrial chemicals, pesticides, and microplastics. A description of emerging contaminants for the purposes of CWSRF financing can be found in Appendix B.

For a project or activity to be eligible under this appropriation, it must be otherwise eligible under section 603(c) of the CWA and the primary purpose must be to address emerging contaminants. States may utilize an amount up to 2% of this appropriation to provide technical assistance to small, rural, and tribal publicly-owned treatment works. The technical assistance funds must be used in a manner that meets the statutory purpose of this appropriation (“to address emerging contaminants”).

States have the flexibility to craft single assistance agreements (e.g., loans or grants) that contain multiple types of construction components and activities. Given the narrower eligibilities under this appropriation, states must be careful to only charge eligible project components to this appropriation. For a project component to be eligible to receive funds under this appropriation, the primary purpose of that component must be to address emerging contaminants.

2. Match: BIL contains the following provision:

“Provided further, That funds provided under this paragraph in this Act shall not be subject to the matching or cost share requirements of sections 602(b)(2), 602(b)(3), or 202 of the Federal Water Pollution Control Act”

This language waives the requirement of Title VI of the CWA to provide state match for the CWSRF Emerging Contaminants capitalization grant.

3. Additional Subsidization: BIL contains the following provision:

“Provided further, That funds provided under this paragraph in this Act deposited into the state revolving fund shall be provided to eligible recipients as assistance agreements with 100 percent principal forgiveness or as grants (or a combination of these)”

This language requires states to provide 100% of the capitalization grant amount as additional subsidization in the form of principal forgiveness and/or grants. Additional subsidization may be provided to any eligible CWSRF assistance recipient for any project eligible under section 603(c) of the CWA that addresses emerging contaminants. EPA expects states to review, refine, and improve their CWSRF affordability criteria and priority point systems to ensure that additional subsidy is provided to disadvantaged communities. EPA encourages states to prioritize communities that meet the state’s affordability criteria or communities that do not meet the state’s affordability criteria but seek additional subsidization to benefit individual ratepayers in the residential user rate class in providing additional subsidy, and to use the 2% technical assistance funds to provide the support necessary to ensure these communities receive needed funding.

Additional information on the management of additional subsidization can be found in Section IV.B. of this memorandum.

C. DWSRF GENERAL SUPPLEMENTAL PROVISIONS

1. Eligible Use of Funds: All DWSRF-eligible projects and set-aside activities may be funded from this appropriation.

Any project funded under this appropriation involving the replacement of a lead service line must replace the entire lead service line, not just a portion, unless a portion has already been replaced or is concurrently being replaced with another funding source. To address household affordability concerns, we encourage states to fund the private portion of service line replacements at no additional cost to the homeowner.

2. Match: BIL contains the following provision:

“Provided further, That for the funds provided under this paragraph in this Act in fiscal year 2022 and fiscal year 2023, the State shall deposit in the State loan fund from State moneys an amount equal to at least 10 percent of the total amount of the grant to be made to the State, notwithstanding section 1452(e) of the Safe Drinking Water Act”

This language reduces the state match to 10% of the total amount of the capitalization grant in fiscal years 2022 and 2023. The match requirement returns to 20% of the capitalization grant in fiscal year 2024 and thereafter.

3. Additional Subsidization: BIL contains the following provision:

“Provided further, That for the funds made available under this paragraph in this Act, forty-nine percent of the funds made available to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide subsidy to eligible recipients in the form of assistance agreements with 100 percent forgiveness of principal or grants (or any combination of these), notwithstanding section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12)”

This language requires states to provide 49% of the capitalization grant amount as additional subsidization in the form of principal forgiveness and/or grants. States must provide additional subsidization to water systems that meet the state’s disadvantaged community criteria as described in section 1452(d) of the SDWA. That SDWA subsection defines a “disadvantaged community” as:

“...the service area of a public water system that meets affordability criteria established after public review and comment by the State in which the public water system is located.”⁵

Pursuant to 40 CFR § 35.3555, the IUP must describe how a state’s disadvantaged community program will operate including the state’s definition of a disadvantaged community, a description of affordability criteria used to determine the amount of disadvantaged assistance, the amount and type of loan subsidies that may be made available to disadvantaged communities, and an identification of projects that will receive disadvantaged assistance and the respective amounts.

Given the level of funding under BIL, states should review the current disadvantaged community definition to ensure that it is sufficient to address public health and affordability issues within the state. The BIL explicitly seeks to ensure disadvantaged communities have access to funds to improve their water infrastructure to protect public health. EPA expects states to review, refine, and improve their DWSRF disadvantaged community definitions and priority point systems to ensure that additional subsidy is provided to disadvantaged communities. EPA recognizes that some communities will require assistance to meet requirements to receive SRF funds and expects states to use set-aside funds to attract and assist disadvantaged communities previously unable to complete SRF funding requirements. EPA encourages state SRF programs to identify and proactively communicate with water systems with health-based violations and significant deficiencies but are not yet on a state PPL. EPA also expects states to offer benefits to disadvantaged communities beyond additional subsidization, as needed, including lower interest rates and extended loan terms.

Additional information on the management of the additional subsidization can be found in Section IV.B. of this guidance.

D. DWSRF EMERGING CONTAMINANTS PROVISIONS

1. Eligible Use of Funds: BIL contains the following provision:

“Provided further, That funds provided under this paragraph in this Act shall be to address emerging contaminants in drinking water with a focus on perfluoroalkyl and

⁵ 42 U.S.C. 300j-12 (d)(3)

polyfluoroalkyl substances through capitalization grants under section 1452(t) of the Safe Drinking Water Act for the purposes described in section 1452(a)(2)(G) of such Act”

For a project or activity to be eligible for funding under this appropriation, it must be otherwise DWSRF eligible and the primary purpose must be to address emerging contaminants in drinking water. Given the clear Congressional intent that these funds focus on projects addressing perfluoroalkyl and polyfluoroalkyl substances (hereinafter PFAS), EPA expects states to actively solicit and prioritize PFAS-focused projects. States, however, have the flexibility to fund projects for any contaminant in any of EPA’s [Contaminant Candidate Lists](#). For example, EPA also encourages states to consider using these funds to address perchlorate as well as contaminants that have higher levels of occurrence or health concerns.

If EPA has promulgated a [National Primary Drinking Water Regulation](#) (NPDWR) for a contaminant, then a project whose primary purpose is to address that contaminant is not eligible for funding under this appropriation, with the PFAS exception explained below. For example, a project for which the primary purpose is to address arsenic or nitrate in drinking water is not eligible because arsenic and nitrate are regulated under the NPDWRs. It should be noted that these projects may be eligible for funding under the DWSRF Base or General Supplemental appropriations.

EPA expects to establish a [NPDWR](#) for PFOA and PFOS. The Agency is also evaluating additional PFAS and groups of PFAS. Given stated Congressional intent of this appropriation, PFAS-focused projects will be eligible for funding under this appropriation regardless of whether EPA has established a NPDWR for that particular PFAS or group of PFAS. More information on PFAS is located here: <https://www.epa.gov/pfas>.

Congress has established multiple set-asides under the DWSRF. States have the flexibility to take set-asides from this appropriation. Set-asides must be used to either administer this capitalization grant or meet the statutory purpose of these funds: “to address emerging contaminants in drinking water with a focus on perfluoroalkyl and polyfluoroalkyl substances.”

Appendix C contains examples of projects and activities eligible for funding under this DWSRF appropriation.

EPA recommends that states coordinate with other funding programs, such as the Assistance for Small and Disadvantaged Communities Grant program, SDWA 1459A, that also received BIL funding specifically to address emerging contaminants in drinking water.

States have the flexibility to craft single assistance agreements (e.g., loans or grants) that contain multiple types of construction components and activities. Given the narrower eligibilities under this appropriation, states must be careful to only charge eligible project components to this appropriation. For a project component to be eligible to receive funds under this appropriation, the primary purpose of that component must be to address emerging contaminants. For example, if an assistance agreement includes the construction of both an activated carbon treatment facility (whose primary purpose is to treat PFAS) *and* the replacement of water mains (whose primary purpose is to replace failing pipes as part of the water system’s capital improvement plan), only the activated carbon treatment facility may be charged to this capitalization grant.

2. Match: BIL contains the following provision:

“Provided further, That funds provided under this paragraph in this Act shall not be subject to the matching or cost share requirements of section 1452(e) of the Safe Drinking Water Act”

This language waives the requirement of section 1452(e) of the SDWA to provide state match for the emerging contaminants capitalization grant.

3. Additional Subsidization: BIL contains the following provision:

“Provided further, That funds provided under this paragraph in this Act deposited into the State revolving fund shall be provided to eligible recipients as loans with 100 percent principal forgiveness or as grants (or a combination of these)”

This language requires states to provide 100% of the capitalization grant amount, net of set-asides taken, as additional subsidization in the form of principal forgiveness and/or grants. Per SDWA, states must direct at least 25% of these funds to disadvantaged communities (as defined by the state under SDWA 1452(d)) or public water systems serving fewer than 25,000 persons.⁶ EPA encourages states to offer benefits to disadvantaged communities in addition to grants and/or principal forgiveness including lower interest rates and extended loan terms.

Pursuant to 40 CFR § 35.3555, the IUP must describe how a state's disadvantaged community program will operate including the state's definition of a disadvantaged community, a description of affordability criteria used to determine the amount of disadvantaged assistance, the amount and type of loan subsidies that may be made available to disadvantaged communities, and an identification of projects that will receive disadvantaged assistance and the respective amounts.

Given the level of funding under BIL, this is an opportunity for the state to review its disadvantaged community definition to ensure that it is sufficient to address public health and affordability issues within the state as well as be broad enough to accommodate this increased SRF funding. The BIL explicitly seeks to ensure that disadvantaged communities have access to funds to improve their water infrastructure to address public health concerns. EPA encourages states to identify potential opportunities to refine and improve their DWSRF disadvantaged community definitions and priority point systems to ensure additional subsidy is provided to disadvantaged communities and communities with affordability concerns to the maximum extent possible.

Additional information on the management of the additional subsidization can be found in Section IV.B. of this guidance.

E. DWSRF LEAD SERVICE LINE REPLACEMENT PROVISIONS

1. Eligible Use of Funds: BIL contains the following provision:

“Provided further, That the funds provided under this paragraph in this Act shall be for lead service line replacement projects and associated activities directly connected to the identification, planning, design, and replacement of lead service lines”

⁶ 42 U.S.C. 300j-12 (a)(2)(G)(ii)(I)

For a project or activity to be eligible for funding under this appropriation, it must be otherwise DWSRF eligible and be a lead service line replacement (LSLR) project or associated activity *directly connected* to the identification, planning, design, and replacement of lead service lines. Any project funded under this appropriation involving the replacement of a lead service line must replace the entire lead service line, not just a portion, unless a portion has already been replaced or is concurrently being replaced with another funding source. To address household affordability concerns and to minimize adverse public health effects, we encourage states to fund the private portion of service line replacements at no additional cost to the homeowner.

To define a “lead service line” for the purpose of this appropriation, EPA will use an amended version of the [Lead and Copper Rule Revisions](#)’ regulatory definition, which is,

“...a service line made of lead, which connects the water main to the building inlet. A lead service line may be owned by the water system, owned by the property owner, or both. For the purposes of this subpart, a galvanized service line is considered a lead service line if it ever was or is currently downstream of any lead service line or service line of unknown material. If the only lead piping serving the home or building is a lead gooseneck, pigtail, or connector, and it is not a galvanized service line that is considered an LSL the service line is not a lead service line.”

EPA has expanded the eligible uses beyond the definition above to also include the replacement of lead goosenecks, pigtails, and connectors as eligible expenses, whether standalone or connected to a lead service line.

Appendix D contains examples of eligible projects and activities under this appropriation. Corrosion control studies, corrosion control infrastructure, and water meters are not eligible under this appropriation, but are eligible under the DWSRF base program and BIL General Supplemental. Consistent with the base DWSRF program, funding for bottled water and premise plumbing are not eligible under this appropriation. Temporary pitcher filters or point-of-use (POU) devices certified by an American National Standards Institute accredited certifier to reduce lead during or for a short time period after LSLR projects are eligible.

Congress has established multiple set-asides under the DWSRF. States have the flexibility to take set-asides from this appropriation. Set-asides must be used to either administer this capitalization grant or meet the statutory purpose of these funds: “for lead service line replacement projects and associated activities directly connected to the identification, planning, design, and replacement of lead service lines.”

Under the DWSRF program, states have the flexibility to craft single assistance agreements (e.g., loans or grants) that contain multiple types of construction components and activities. Given the narrower eligibilities under this appropriation, states must be careful to only charge eligible project components consistent with the purpose of this appropriation. For example, if an assistance agreement includes the replacement of lead service lines and the replacement of water mains, only the LSLR and associated components may be charged to this capitalization grant.

2. Match: BIL contains the following provision:

“Provided further, That the funds provided under this paragraph in this Act shall not be subject to the matching or cost share requirements of section 1452(e) of the Safe Drinking Water Act”

This language waives the requirement of section 1452(e) of the SDWA to provide state match for the lead service line capitalization grant.

3. Additional Subsidization: BIL contains the following provision:

“Provided further, That for the funds made available under this paragraph in this Act, forty-nine percent of the funds made available to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide subsidy to eligible recipients in the form of assistance agreements with 100 percent forgiveness of principal or grants (or any combination of these), notwithstanding section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j-12)”

This language requires states to provide 49% of the capitalization grant amount as additional subsidization in the form of principal forgiveness and/or grants. States must provide additional subsidization to water systems that meet the state’s disadvantaged community criteria as described in section 1452(d) of SDWA. That SDWA subsection defines a “disadvantaged community” as:

“...the service area of a public water system that meets affordability criteria established after public review and comment by the State in which the public water system is located.”⁷

Pursuant to 40 CFR § 35.3555, the IUP must describe how a state's disadvantaged community program will operate including the state's definition of a disadvantaged community, a description of affordability criteria used to determine the amount of disadvantaged assistance, the amount and type of loan subsidies that may be made available to disadvantaged communities, and an identification of projects that will receive disadvantaged assistance and the respective amounts.

Given the level of funding under BIL, the state should review its disadvantaged community definition to ensure that it is sufficient to address public health and affordability issues within the state. The BIL explicitly seeks to ensure that disadvantaged communities have access to funds to improve their water infrastructure. EPA expects states to review, refine, and improve their DWSRF disadvantaged community definitions and priority point systems to ensure that additional subsidy is provided to disadvantaged communities. EPA recognizes that some communities will need assistance to meet requirements to receive SRF funds and expects states to use set-aside funds to support disadvantaged communities previously unable to complete SRF funding requirements. EPA encourages state SRF programs to identify and proactively reach out to disadvantaged communities that could benefit from this funding but are not yet on a state PPL. EPA also expects states to offer benefits to disadvantaged communities beyond additional subsidization, including lower interest rates and extended loan terms.

Additional information on the management of the additional subsidization can be found in Section IV.B. of this guidance.

⁷ 42 U.S.C. 300j-12 (d)(3)

F. OTHER APPLICABLE PROVISIONS

1. Equivalency: BIL supplemental appropriations are federal funds and therefore all equivalency requirements apply to projects funded by each BIL capitalization grant. Projects funded through the base SRF programs cannot be used to meet the equivalency requirements of the BIL capitalization grants. Each BIL capitalization grant must meet the equivalency requirements separately.

2. Build America, Buy America Act: BIL creates the Build America, Buy America (BABA) Act domestic sourcing requirements for Federal financial assistance programs for infrastructure, including the SRF programs.⁸ For more specific information on BABA implementation, please refer to the Office of Management and Budget's Build America, Buy America Act Implementation Guidance. EPA will issue a separate memorandum for BABA after the United States Office of Management and Budget (OMB) publishes its guidance. The American Iron and Steel provisions of both the CWSRF and DWSRF continue to apply.

3. Reporting: Transparency and consistency is of the utmost importance to ensure that the funds are being used effectively and efficiently. States must use EPA's SRF Data System to report key BIL project characteristics and milestone information no less than quarterly. Additional reporting will be required through the terms and conditions of the grant award.

The Federal Funding Accountability and Transparency Act (FFATA) of 2010 requires SRF programs to report on recipients that received federal dollars in the FFATA Subaward Reporting System (www.ftrs.gov). FFATA reporting must exactly equal the capitalization grant amount.

4. Blending Funds and Cash Draws: States have the flexibility to craft single assistance agreements (e.g., loans) that contain multiple types of construction components and activities. These assistance agreements may commit funds from multiple BIL capitalization grants and base program funds. Upon disbursement of funds, these assistance agreements may draw from both BIL and base SRF capitalization grants for eligible project components. For example, state DWSRF programs may sign a single loan with a community water system for a project to replace lead service lines *and* replace water mains. In that example, the state may draw funds from the BIL DWSRF LSLR appropriation for the eligible LSLR project components and the 2022 DWSRF base appropriation for the water main components.

BIL and base funds must be separately managed and tracked for accounting purposes. States are encouraged to draw BIL funds first when projects are funded with both BIL and base funds.

5. Green Project Reserve: If provided for in the annual appropriation, the green project reserve (GPR) is applicable to the BIL capitalization grants for the corresponding fiscal year.

6. Inter-SRF Transfers: Per SRF statute and regulation, states have the flexibility to transfer funds between the CWSRF and DWSRF.⁹ Given BIL's requirements, authorities, and narrower SRF eligibilities, states may only transfer funds between the specific BIL appropriations in the equivalent CWSRF or DWSRF program. In other words, states may only transfer funds between the CWSRF and DWSRF General BIL capitalization grants and between the CWSRF and

⁸ BIL §70901

⁹ 42 U.S.C. 300j- 12 note and 40 CFR § 35.3530(c)

DWSRF BIL Emerging Contaminants capitalization grants. Because there is no similar CWSRF appropriation to the DWSRF BIL LSLR appropriation, no funds may be transferred from or to the DWSRF BIL LSLR appropriation. States may not transfer BIL appropriations to or from base appropriations.

Transfers do not impact the state match calculation, the set-asides calculations in the DWSRF, or the administration and 2% technical assistance calculations in the CWSRF. Those calculations are based upon the original capitalization grant allotment amounts for each SRF.

All BIL supplemental funds are federal capitalization grant funds. Therefore, transferred funds carry the same requirements from the transferring SRF with respect to additional subsidization and GPR. For example, if a state's original BIL General allotments are \$60M for DWSRF and \$30M for CWSRF and the state chooses to transfer \$10M from the DWSRF grant to the CWSRF grant, then the post-transfer capitalization grants will be \$50M for DWSRF and \$40M for CWSRF and the state must calculate the additional subsidy requirement using those *post-transfer* amounts.

States also have the flexibility to reserve *authority* for BIL inter-SRF transfers and use that authority in later years from subsequent BIL appropriations.¹⁰ Funds may be transferred between the CWSRF and DWSRF on a net basis, as long as the statutory 33% ceiling is not breached. Transfers of BIL CWSRF and DWSRF Emerging Contaminants Supplemental funds are calculated based on BIL DWSRF Emerging Contaminants Supplemental allotments.

For details on inter-SRF transfers, see the [SRF Transfer Policy](#).

7. Reservation of DWSRF Set-Aside Authority: Consistent with the DWSRF regulations, states have the flexibility to reserve the *authority* (under the 2%, 4%, and 10% set-asides) to take from future capitalization grants those set-aside funds they have not included in workplans.¹¹ However, given the narrower eligibilities under the BIL Emerging Contaminants and LSLR appropriations, future use of authority reserved under those BIL capitalization grants will be limited to eligible uses under those grants. For example, reserved authority for LSLR set-asides can only be used in the future for BIL LSLR eligible set-aside activities. Reserved authority for Emerging Contaminants set-asides can only be used in the future for BIL Emerging Contaminants-eligible set-aside activities.

8. Recycled Funds: To the extent assistance recipients repay BIL funds or provide interest payments to the state SRF program, those repaid funds and interest have the flexibility to be used for any SRF-eligible purpose. For example, repaid DWSRF BIL LSLR funds are not limited to future LSLR projects and activities.

9. Potential State Match Flexibility: To support implementation of the SRF program, the Department of the Treasury has determined that State and Local Financial Recovery Funds under the American Rescue Plan Act (ARPA) available for the provision of government services, up to the amount of the recipient's reduction in revenue due to the public health emergency, may be used to meet the non-federal match requirements of the DWSRF and CWSRF programs. EPA

¹⁰ 40 CFR §35.3530(c)(4)

¹¹ 40 CFR §35.3540(d)(2)

will be providing a fact sheet in the near future to state SRF programs to support utilization of this additional flexibility.

10. Federal Civil Rights Responsibilities, Including Title VI of the Civil Rights Act of 1964:

In 1994, [Executive Order 12898](#)¹² was issued to direct Federal agencies to incorporate achieving environmental justice into their mission. The Presidential Memorandum¹³ accompanying that Executive Order required in part, that consistent with Title VI of the Civil Rights Act of 1964, each Federal agency “...ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.”¹⁴

EPA has a responsibility to ensure that recipients and subrecipients of federal financial assistance from EPA comply with federal civil rights laws that prohibit discrimination on the basis of race, color, national origin (including limited English proficiency), disability, sex and age, including Title VI of the Civil Rights Act of 1964.¹⁵

EPA’s implementing regulation generally prohibits discrimination in any programs, activities and services receiving federal financial assistance. 40 CFR § 7.30. In addition, EPA’s implementing regulations at 40 CFR § 7.35, states that programs or activities receiving EPA assistance “shall not directly or through contractual, licensing, or other arrangements on the basis of race, color, or national origin...”:

- Subject a person to segregation or separate treatment;
- Deny a person or group the opportunity to participate as members of any planning or advisory body;
- Restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, aid, or benefit provided by the program;
- Use criteria or methods of administration “which have the effect of subjecting individuals to discrimination;” or
- Choose a site or location of a facility with “the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination,” among other things.

EPA’s nondiscrimination regulation in 40 CFR Parts 5 and 7 also contain longstanding procedural requirements applicable to applicants for and recipients (including sub-recipients) of EPA financial assistance.¹⁶ These requirements include having a notice of nondiscrimination, nondiscrimination coordinator, grievance procedures, a process for collecting and maintaining nondiscrimination compliance information, and pursuant to Title VI and the Rehabilitation Act of 1973, developing policies and procedures for ensuring meaningful access to programs and

¹² Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994.

¹³ Presidential Memorandum on Executive Order for Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (pdf).

¹⁴ *Id.*

¹⁵ Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000(d) *et seq.* (Title VI); Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C., 29 U.S.C. § 794, Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. §§ 1681 *et seq.*; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 *et seq.*; Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92 500 § 13, 86 Stat. 903 (codified as amended at 33 U.S.C. § 1251 (1972)); 40 CFR Parts 5 and 7.

¹⁶ EPA’s nondiscrimination regulation at 40 CFR Parts 5 and 7 requires recipients to establish and implement their own nondiscrimination programs. *See* 40 CFR §§ 7.80-7.100.

activities for individuals with limited-English proficiency and individuals with disabilities. In addition, recipients' public participation processes must also be implemented consistent with the federal civil rights laws.¹⁷

EPA intends to carefully evaluate the implementation of BIL SRF funding to ensure compliance with civil rights laws by recipients of EPA funding and to confirm no community is excluded from receiving or denied benefit of SRF funding based on race, color, national origin (including limited English proficiency), age, disability or sex. EPA expects the state to review program activities to ensure compliance with Title VI of the Civil Rights Act of 1964 and make an affirmative statement documenting the review and commitment to Title VI requirements in IUPs. Further, financial award agreements and contracts must include appropriate Title VI nondiscrimination language.

For more information about the federal civil rights laws enforced by EPA, including Title VI, please visit: <https://www.epa.gov/ocr/title-vi-laws-and-regulations> and <https://www.epa.gov/ogc/external-civil-rights-compliance-office-title-vi>.

IV. PROGRAM IMPLEMENTATION

A. EXPEDITIOUS COMMITMENTS AND EXPEDITURES

BIL funds must be committed and expended in an expeditious and timely manner, consistent with law, regulation, and guidance. States must make commitments (i.e., they must sign assistance agreements, such as loans, with eligible recipients) within one year after the receipt of each capitalization grant payment from EPA.¹⁸ States must make effort to draw down (expend) funds within two years of capitalization grant award.

B. MANAGEMENT OF ADDITIONAL SUBSIDIZATION

1. **Opportunities to Address Disadvantaged Communities and Affordability:** The BIL is designed to rebuild America's infrastructure and invest in communities that have too often been left behind – from rural towns to struggling cities. The level of funding provided under BIL and the amount of additional subsidy available that must be directed to these communities presents a unique opportunity for the SRF programs. The CWA and SDWA require states to develop “affordability criteria” and definitions of “disadvantaged communities” to best address

¹⁷ See Title VI, 42 U.S.C. 2000(d) *et seq.*; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794; *Lau v. Nichols*, 414 U.S. 563, 568-69 (1974) (finding that the government properly required language services to be provided under a recipient's Title VI obligations not to discriminate based on national origin); 40 CFR § 7.35(a). See also U.S. EPA, Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 FR 35602 (June 25, 2004) (available at https://www.epa.gov/sites/production/files/2020-02/documents/title_vi_lep_guidance_for_epa_recipients_2004.06.25.pdf); U.S. EPA, Title VI Public Involvement Guidance for EPA Assistance Recipients Administering Environmental Permitting Programs, 71 FR 14207 (March 21, 2006) (available at https://www.epa.gov/sites/production/files/2020-02/documents/title_vi_public_involvement_guidance_for_epa_recipients_2006.03.21.pdf); U.S. EPA, Procedural Safeguards Checklist for Recipients, at https://www.epa.gov/sites/production/files/2020-02/documents/procedural_safeguards_checklist_for_recipients_2020.01.pdf (rev. Jan. 2020) (which provides a more detailed explanation of nondiscrimination obligations and best practices); U.S. EPA, Disability Nondiscrimination Plan Sample, at https://www.epa.gov/sites/production/files/2020-02/documents/disability_nondiscrimination_plan_sample_for_recipients_2020.01.pdf (2017).

¹⁸ 33 U.S.C. §1382(b)(3) and 40 CFR §35.3550(e)(1)

affordability needs consistent with other laws, including federal non-discrimination statutes, such as, Title VI of the Civil Rights Act of 1964, discussed above.

Given this new influx of funding, EPA expects states to review, refine, and improve as necessary, their disadvantaged community definition and affordability criteria to ensure that they are reflective of current affordability issues within the state. In Appendix E, EPA provides examples of factors that states may consider in updating their disadvantaged community definition or affordability criteria. States must include the disadvantaged community definition and the state affordability criteria in the IUP, which provides an opportunity for meaningful public review and comment.

EPA is committed to working with states to ensure additional subsidy is provided to disadvantaged communities and communities with affordability concerns to the maximum extent possible. EPA will use a variety of tools to accomplish this goal:

- **Review of the Effective Integration of the Program to Reach Disadvantaged Communities:** Recognizing that the communities in greatest need are often the least equipped or prepared to move forward with an SRF project and application, EPA will review how the state is utilizing the flexibilities and set-asides to support the disadvantaged communities' efforts to undertake deficiency or need identification, project development, and preliminary engineering steps that are necessary to apply for funding. States should also make funding sources available to communities for planning, design, and other pre-projects costs, as these steps can be a barrier to communities working to access SRF funding for water infrastructure needs. Working collaboratively, EPA and SRF programs can make progress towards Justice40, which aims to ensure that federal agencies deliver at least 40% of benefits from certain investments to disadvantaged communities.
- **Review of Disadvantaged Community Definition and Affordability Criteria:** EPA will review IUPs with a particular focus on the definition of disadvantaged community, state affordability criteria, and communities on the PPL slated for additional subsidization. EPA will actively work with states to identify potential opportunities to refine and improve DWSRF disadvantaged community definitions and CWSRF affordability criteria to be consistent with the language and intent of SDWA and the CWA.
- **Reaching Disadvantaged Neighborhoods within Larger Communities:** The CWA specifically allows CWSRF programs to provide additional subsidization to communities that do not meet a state's affordability criteria, but where the assistance recipient seeks additional subsidization to benefit individual ratepayers in the residential user rate class that will experience a significant hardship from the increase in rates necessary to finance the project if additional subsidization is not provided. EPA expects states to work with EPA and stakeholders to identify how this provision can be implemented. EPA expects states to evaluate their affordability criteria to determine whether it can be crafted broadly to include neighborhoods with affordability concerns within larger communities.

The SDWA authorizes states to define a "disadvantaged community." Note that some states define a disadvantaged community to include a large public water system where a particular project within the system addresses a sub-set of the service area that meets affordability criteria. EPA has accepted this type of definition and believes that it is consistent with the definition of "disadvantaged community" at 42 U.S.C. §1452(d)(3). These definitions are not prohibited and

serve to make the DWSRF definition of “disadvantaged community” consistent with the CWSRF affordability criteria which considers particular ratepayers.

- **Terms and Conditions of State Grants:** EPA will provide a term and condition on the grants detailing the amount and eligible uses of additional subsidy to meet statutory language and congressional intent to ensure that disadvantaged communities that have historically struggled to access SRF funding can do so through the BIL.
 - **Reallocation and Partial Awards:** States must identify in the IUP sufficient eligible projects that will receive additional subsidization. States that are unable to identify sufficient eligible projects may receive partial grant awards until they are able to fund sufficient communities or projects that meet the criteria for receiving additional subsidization. Funds will be reallocated in instances where states are unable to identify sufficient eligible communities or projects to receive additional subsidization by the end of the second fiscal year of grant availability. This is consistent with both SRF statutes.
 - **Oversight:** EPA will discuss the state’s affordability criteria and disadvantaged community definition during the capitalization grant application process and annual review so that any needed adjustments can be made for BIL funding. One focus will be how project priority systems support the goal of reaching disadvantaged communities and address the most serious risks to human health. EPA will amend the annual review checklist to include detailed questions related to additional subsidization assistance to disadvantaged communities, capacity development, technical assistance, and solicitation.
2. **Eligible Forms of Additional Subsidy:** Loans with principal forgiveness and grants are the only authorized methods states may use to deliver BIL additional subsidy to assistance recipients.
 3. **Calculation of Additional Subsidization Provided:** Appendix A includes additional subsidy tables for each state and BIL appropriation. The additional subsidization requirement is considered met when the subsidy funds required have been disbursed. Each state must report on the use of additional subsidization in the SRF Reporting System and in the state’s Annual or Biennial Report.
 4. **Eligible Recipients of Additional Subsidy:** For the CWSRF General Supplemental, the DWSRF General Supplemental, and the DWSRF LSLR funding, BIL requires 49% of the funds be made available as additional subsidy. Congress specified that it made this appropriation “notwithstanding” the specific provisions of the CWA and SDWA (CWA 603(i)(3)(B) and SDWA 1452(d)(2)) that provide for minimum and maximum percentages that may be additional subsidy. In doing so, Congress made clear its intent that the only-exception it was making to EPA’s underlying authority was to the provision specifying the minimum and maximum additional subsidization levels and not to any of the other provisions regarding additional subsidization. Therefore, Congress expected the other limitations on additional subsidization, including the limitation to the eligible uses, to remain intact. For the DWSRF, states must provide additional subsidization to water systems that meet the state’s disadvantaged community criteria as described in section 1452(d) of the SDWA, and for the CWSRF additional subsidy must be provided to eligible CWSRF assistance recipients or project types as described in section 603(i) of the CWA.

For the CWSRF Emerging Contaminants Funding, BIL requires 100% of the funds be made available as additional subsidy. For this funding, Congress did not use the “notwithstanding” language. Therefore, as it has in prior appropriations bills containing similar language, Congress is creating a new subsidization program separate from the statutorily authorized program which provides additional subsidy to any eligible CWSRF assistance recipient for any project eligible under section 603(c) of the CWA that addresses emerging contaminants.

For the DWSRF Emerging Contaminants funding, BIL requires 100% of the funding to be made available as additional subsidy. For this funding, Congress did not use the “notwithstanding” language. In addition, in the SDWA, Congress established separate provisions for emerging contaminants (SDWA §1452(a)(2)(G)). Appropriations language in the BIL can be read along with the DWSRF provisions in the SDWA – there is no conflict between the provisions in the BIL and the SDWA statutory provision. Therefore, with respect to the DWSRF Emerging Contaminants appropriation, each state must provide at least 25% of the funds to either disadvantaged communities (as defined in subsection (d)(3)) or public water systems serving fewer than 25,000 persons that address emerging contaminants in drinking water with a focus on perfluoroalkyl and polyfluoroalkyl substances.

5. **Structuring Assistance Agreements:** Assistance agreements may include any combination of additional subsidization (i.e., principal forgiveness or grant) and repayable financing, subject to the limitations of the BIL. For example, a state might structure a \$1 million loan to include \$200,000 of repayable principal and \$800,000 of forgiven principal. In that example, the \$800,000 in principal forgiveness counts towards the limitations of the BIL. A state may structure an individual assistance agreement to provide 100% principal forgiveness, as well. The state has the flexibility to determine the amount of additional subsidization provided in a given assistance agreement.
6. **Laws, Regulations, and Requirements for Assistance Agreements in the Form of Grants:** BIL allows state CWSRF and DWSRF programs to provide grants to eligible recipients. States should be aware that “grant” recipients are legally considered “subrecipients” for the purposes of OMB’s grant regulations at 2 CFR Part 200 *et. seq.* In other words, assistance recipients receiving additional subsidy in the form of a grant are subject to additional cross-cutting federal requirements not applicable to those receiving other forms of additional subsidy. EPA’s [subaward policy](#) establishes the requirements and procedures for Grants Management Offices and Program Offices in making determinations regarding subrecipient eligibility, overseeing pass-through entity monitoring and management of subawards, and authorizing fixed amount subawards under 2 CFR 200.331, 200.332, and 200.333 (“the applicable regulations”).

Note that the use of a “grant” as an additional subsidy instrument does not change the established SRF cash draw rules.¹⁹ SRF assistance recipients (e.g., a water or wastewater system) must first incur a cost associated with an executed assistance agreement for the state SRF to have the authority to draw capitalization grant funds from the Treasury and disburse those funds to the assistance recipient.

C. REALLOTMENT

¹⁹ 40 CFR §35.3155(d)(2) and §35.3565(a)(1)

Consistent with the CWA and SDWA,²⁰ EPA will reallocate unobligated BIL funds after the second fiscal year of availability. The procedure is explained in *State Revolving Fund Capitalization Grant Reallocation Procedure* memorandum, September 2020.

V. EPA Oversight

To fulfill our critical programmatic and fiduciary oversight responsibilities for the SRF programs, each EPA Region will provide oversight of the BIL funds. Oversight will include BIL project file and transaction reviews in addition to the reviews of the base SRF files and transaction tests. During the on-site reviews, EPA Regions will discuss ongoing implementation of BIL funding with the states, including supporting disadvantaged communities and how they are utilizing additional subsidization. BIL observations, findings, and/or corrective actions will be documented in the Program Evaluation Report (PER).

²⁰ 33 U.S.C. §1384(c)(2) and 42 U.S.C. 300j-12 (a)(1)(E)

Attachment 1 – Appendix A:
Bipartisan Infrastructure Law: Environmental Protection Agency
2022 State Revolving Fund (SRF) Grants to States, Tribes, and Territories by
Program

	DWSRF General	DWSRF Lead Service Line Replacement	DWSRF Emerging Contaminants	CWSRF General	CWSRF Emerging Contaminants
Alabama	\$38,787,000	\$61,114,000	\$16,286,000	\$19,901,000	\$1,045,000
Alaska	\$17,992,000	\$28,350,000	\$7,555,000	\$10,652,000	\$559,000
Arizona	\$32,359,000	\$50,986,000	\$13,587,000	\$12,021,000	\$632,000
Arkansas	\$27,070,000	\$42,653,000	\$11,367,000	\$11,642,000	\$612,000
California	\$158,733,000	\$250,107,000	\$66,649,000	\$127,290,000	\$6,687,000
Colorado	\$35,550,000	\$56,015,000	\$14,927,000	\$14,236,000	\$747,000
Connecticut	\$17,992,000	\$28,350,000	\$7,555,000	\$21,804,000	\$1,145,000
Delaware	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000
District of Columbia	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000
Florida	\$70,829,000	\$111,601,000	\$29,741,000	\$60,077,000	\$3,156,000
Georgia	\$42,400,000	\$66,808,000	\$17,804,000	\$30,092,000	\$1,581,000
Hawaii	\$17,992,000	\$28,350,000	\$7,555,000	\$13,785,000	\$724,000
Idaho	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000
Illinois	\$67,885,000	\$106,964,000	\$28,505,000	\$80,494,000	\$4,229,000
Indiana	\$27,502,000	\$43,334,000	\$11,548,000	\$42,893,000	\$2,253,000
Iowa	\$28,504,000	\$44,913,000	\$11,969,000	\$24,088,000	\$1,265,000
Kansas	\$20,875,000	\$32,891,000	\$8,765,000	\$16,065,000	\$844,000
Kentucky	\$29,649,000	\$46,717,000	\$12,450,000	\$22,652,000	\$1,190,000
Louisiana	\$26,930,000	\$42,433,000	\$11,308,000	\$19,565,000	\$1,028,000
Maine	\$17,992,000	\$28,350,000	\$7,555,000	\$13,777,000	\$724,000
Maryland	\$32,960,000	\$51,934,000	\$13,840,000	\$43,046,000	\$2,261,000
Massachusetts	\$41,750,000	\$65,783,000	\$17,531,000	\$60,428,000	\$3,175,000
Michigan	\$44,168,000	\$69,593,000	\$18,546,000	\$76,528,000	\$4,020,000
Minnesota	\$27,465,000	\$43,276,000	\$11,533,000	\$32,713,000	\$1,719,000
Mississippi	\$19,368,000	\$30,518,000	\$8,133,000	\$16,035,000	\$842,000
Missouri	\$31,720,000	\$49,980,000	\$13,319,000	\$49,339,000	\$2,592,000
Montana	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000
Nebraska	\$17,992,000	\$28,350,000	\$7,555,000	\$9,103,000	\$478,000
Nevada	\$20,857,000	\$32,864,000	\$8,758,000	\$8,738,000	\$459,000
New Hampshire	\$17,992,000	\$28,350,000	\$7,555,000	\$17,786,000	\$935,000
New Jersey	\$30,708,000	\$48,385,000	\$12,894,000	\$72,730,000	\$3,821,000
New Mexico	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000
New York	\$73,481,000	\$115,781,000	\$30,854,000	\$196,443,000	\$10,318,000
North Carolina	\$55,254,000	\$87,062,000	\$23,201,000	\$32,122,000	\$1,688,000
North Dakota	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000

	DWSRF General	DWSRF Lead Service Line Replacement	DWSRF Emerging Contaminants	CWSRF General	CWSRF Emerging Contaminants
Ohio	\$45,251,000	\$71,300,000	\$19,001,000	\$100,195,000	\$5,264,000
Oklahoma	\$25,508,000	\$40,192,000	\$10,711,000	\$14,379,000	\$755,000
Oregon	\$23,673,000	\$37,300,000	\$9,940,000	\$20,106,000	\$1,056,000
Pennsylvania	\$55,403,000	\$87,296,000	\$23,264,000	\$70,500,000	\$3,704,000
Puerto Rico	\$17,992,000	\$28,350,000	\$7,555,000	\$23,214,000	\$1,220,000
Rhode Island	\$17,992,000	\$28,350,000	\$7,555,000	\$11,950,000	\$628,000
South Carolina	\$23,302,000	\$36,716,000	\$9,784,000	\$18,233,000	\$958,000
South Dakota	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000
Tennessee	\$31,253,000	\$49,243,000	\$13,123,000	\$25,855,000	\$1,358,000
Texas	\$140,993,000	\$222,155,000	\$59,202,000	\$81,347,000	\$4,274,000
Utah	\$17,992,000	\$28,350,000	\$7,555,000	\$9,378,000	\$493,000
Vermont	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000
Virginia	\$29,357,000	\$46,256,000	\$12,327,000	\$36,424,000	\$1,914,000
Washington	\$40,196,000	\$63,336,000	\$16,878,000	\$30,951,000	\$1,626,000
West Virginia	\$17,992,000	\$28,350,000	\$7,555,000	\$27,745,000	\$1,457,000
Wisconsin	\$30,666,000	\$48,319,000	\$12,877,000	\$48,116,000	\$2,527,000
Wyoming	\$17,992,000	\$28,350,000	\$7,555,000	\$8,738,000	\$459,000
States Total	1,772,254,000	2,792,475,000	\$744,167,000	\$1,753,080,000	\$92,094,000
American Samoa	\$6,778,000	\$10,680,000	\$2,846,000	\$9,997,000	\$526,000
Guam	\$6,301,000	\$9,928,000	\$2,646,000	\$7,234,000	\$380,000
Northern Marianas	\$5,305,000	\$8,359,000	\$2,228,000	\$4,646,000	\$245,000
Virgin Islands	\$8,605,000	\$13,558,000	\$3,613,000	\$5,802,000	\$305,000
Territories Total	\$26,989,000	\$42,525,000	\$11,333,000	\$27,679,000	\$1,456,000
Tribes	\$38,040,000	\$60,000,000	\$16,000,000	\$38,040,000	\$2,000,000
CWA 604(b) Total	\$0	\$0	\$0	\$17,984,000	\$950,000
EPA Admin	\$57,060,000	\$90,000,000	\$24,000,000	\$57,060,000	\$3,000,000
OIG Oversight	\$6,657,000	\$15,000,000	\$4,000,000	\$6,657,000	\$500,000
AMS M & O	\$1,000,000	\$0	\$500,000	\$1,500,000	\$0
Grand Total	\$1,902,000,000	\$3,000,000,000	\$800,000,000	\$1,902,000,000	\$100,000,000

**Bipartisan Infrastructure Law:
Environmental Protection Agency
2022 Clean Water Act (CWA) 604(b) Grants to States and Territories by Program**

	604(b)	604(b) Emerging Contaminants	604(b) BIL Total
Alabama	\$201,000	\$11,000	\$212,000
Alaska	\$108,000	\$6,000	\$114,000
Arizona	\$121,000	\$6,000	\$127,000
Arkansas	\$118,000	\$6,000	\$124,000
California	\$1,286,000	\$68,000	\$1,354,000
Colorado	\$144,000	\$8,000	\$152,000
Connecticut	\$220,000	\$12,000	\$232,000
Delaware	\$88,000	\$5,000	\$93,000
District of Columbia	\$88,000	\$5,000	\$93,000
Florida	\$607,000	\$32,000	\$639,000
Georgia	\$304,000	\$16,000	\$320,000
Hawaii	\$139,000	\$7,000	\$146,000
Idaho	\$88,000	\$5,000	\$93,000
Illinois	\$813,000	\$43,000	\$856,000
Indiana	\$433,000	\$23,000	\$456,000
Iowa	\$243,000	\$13,000	\$256,000
Kansas	\$162,000	\$9,000	\$171,000
Kentucky	\$229,000	\$12,000	\$241,000
Louisiana	\$198,000	\$10,000	\$208,000
Maine	\$139,000	\$7,000	\$146,000
Maryland	\$435,000	\$23,000	\$458,000
Massachusetts	\$610,000	\$32,000	\$642,000
Michigan	\$773,000	\$41,000	\$814,000
Minnesota	\$330,000	\$17,000	\$347,000
Mississippi	\$162,000	\$9,000	\$171,000
Missouri	\$498,000	\$26,000	\$524,000
Montana	\$88,000	\$5,000	\$93,000
Nebraska	\$92,000	\$5,000	\$97,000
Nevada	\$88,000	\$5,000	\$93,000
New Hampshire	\$180,000	\$9,000	\$189,000
New Jersey	\$735,000	\$39,000	\$774,000
New Mexico	\$88,000	\$5,000	\$93,000
New York	\$1,984,000	\$104,000	\$2,088,000
North Carolina	\$324,000	\$17,000	\$341,000
North Dakota	\$88,000	\$5,000	\$93,000
Ohio	\$1,012,000	\$53,000	\$1,065,000

	604(b)	604(b) Emerging Contaminants	604(b) BIL Total
Oklahoma	\$145,000	\$8,000	\$153,000
Oregon	\$203,000	\$11,000	\$214,000
Pennsylvania	\$712,000	\$37,000	\$749,000
Puerto Rico	\$234,000	\$12,000	\$246,000
Rhode Island	\$121,000	\$6,000	\$127,000
South Carolina	\$184,000	\$10,000	\$194,000
South Dakota	\$88,000	\$5,000	\$93,000
Tennessee	\$261,000	\$14,000	\$275,000
Texas	\$822,000	\$43,000	\$865,000
Utah	\$95,000	\$5,000	\$100,000
Vermont	\$88,000	\$5,000	\$93,000
Virginia	\$368,000	\$19,000	\$387,000
Washington	\$313,000	\$16,000	\$329,000
West Virginia	\$280,000	\$15,000	\$295,000
Wisconsin	\$486,000	\$26,000	\$512,000
Wyoming	\$88,000	\$5,000	\$93,000
States Total	\$17,704,000	\$936,000	\$18,640,000
American Samoa	\$101,000	\$5,000	\$106,000
Guam	\$73,000	\$4,000	\$77,000
Northern Marianas	\$47,000	\$2,000	\$49,000
Virgin Islands	\$59,000	\$3,000	\$62,000
Territories Total	\$280,000	\$14,000	\$294,000
Grand Total	\$17,984,000	\$950,000	\$18,934,000

**Bipartisan Infrastructure Law:
Environmental Protection Agency
2022 State Revolving Fund (SRF) Additional Subsidy Amounts**

	DWSRF General²¹	DWSRF Lead Service Line Replacement²²	DWSRF Emerging Contaminants²³	CWSRF General²⁴	CWSRF Emerging Contaminants²⁵
Alabama	\$19,005,630	\$29,945,860	\$16,286,000	\$9,751,490	\$1,045,000
Alaska	\$8,816,080	\$13,891,500	\$7,555,000	\$5,219,480	\$559,000
Arizona	\$15,855,910	\$24,983,140	\$13,587,000	\$5,890,290	\$632,000
Arkansas	\$13,264,300	\$20,899,970	\$11,367,000	\$5,704,580	\$612,000
California	\$77,779,170	\$122,552,430	\$66,649,000	\$62,372,100	\$6,687,000
Colorado	\$17,419,500	\$27,447,350	\$14,927,000	\$6,975,640	\$747,000
Connecticut	\$8,816,080	\$13,891,500	\$7,555,000	\$10,683,960	\$1,145,000
Delaware	\$8,816,080	\$13,891,500	\$7,555,000	\$4,281,620	\$459,000
Florida	\$34,706,210	\$54,684,490	\$29,741,000	\$29,437,730	\$3,156,000
Georgia	\$20,776,000	\$32,735,920	\$17,804,000	\$14,745,080	\$1,581,000
Hawaii	\$8,816,080	\$13,891,500	\$7,555,000	\$6,754,650	\$724,000
Idaho	\$8,816,080	\$13,891,500	\$7,555,000	\$4,281,620	\$459,000
Illinois	\$33,263,650	\$52,412,360	\$28,505,000	\$39,442,060	\$4,229,000
Indiana	\$13,475,980	\$21,233,660	\$11,548,000	\$21,017,570	\$2,253,000
Iowa	\$13,966,960	\$22,007,370	\$11,969,000	\$11,803,120	\$1,265,000
Kansas	\$10,228,750	\$16,116,590	\$8,765,000	\$7,871,850	\$844,000
Kentucky	\$14,528,010	\$22,891,330	\$12,450,000	\$11,099,480	\$1,190,000
Louisiana	\$13,195,700	\$20,792,170	\$11,308,000	\$9,586,850	\$1,028,000
Maine	\$8,816,080	\$13,891,500	\$7,555,000	\$6,750,730	\$724,000
Maryland	\$16,150,400	\$25,447,660	\$13,840,000	\$21,092,540	\$2,261,000
Massachusetts	\$20,457,500	\$32,233,670	\$17,531,000	\$29,609,720	\$3,175,000
Michigan	\$21,642,320	\$34,100,570	\$18,546,000	\$37,498,720	\$4,020,000
Minnesota	\$13,457,850	\$21,205,240	\$11,533,000	\$16,029,370	\$1,719,000
Mississippi	\$9,490,320	\$14,953,820	\$8,133,000	\$7,857,150	\$842,000

²¹ States must provide 49% of the BIL DWSRF General capitalization grant amount as additional subsidization in the form of principal forgiveness or grants. This additional subsidization must be provided to eligible DWSRF assistance recipients that meet the state's disadvantaged community criteria as described in SDWA §1452(d).

²² States must provide 49% of the BIL DWSRF Lead Service Line Replacement capitalization grant amount as additional subsidization in the form of principal forgiveness or grants. This additional subsidization must be provided to eligible DWSRF assistance recipients that meet the state's disadvantaged community criteria as described in SDWA §1452(d).

²³ States must provide 100% of the BIL DWSRF Emerging Contaminants capitalization grant amount, net of set-asides taken, as additional subsidization in the form of principal forgiveness or grants. Per SDWA §1452(a)(2)(G)(ii)(I), at least 25% of these funds must be provided to eligible DWSRF assistance recipients that meet the state's disadvantaged community criteria as described in SDWA §1452(d) or to public water systems serving fewer than 25,000 persons.

²⁴ States must provide 49% of the CWSRF general capitalization grant amount as additional subsidization in the form of principal forgiveness or grants. Additional subsidization must be provided to eligible CWSRF assistance recipients or project types as described in section 603(i) of the CWA.

²⁵ States must provide 100% of the emerging capitalization grant amount as additional subsidization in the form of principal forgiveness and/or grants. Additional subsidization may be provided to any eligible CWSRF assistance recipient for any project eligible under section 603(c) of the CWA that addresses emerging contaminants.

	DWSRF General²¹	DWSRF Lead Service Line Replacement²²	DWSRF Emerging Contaminants²³	CWSRF General²⁴	CWSRF Emerging Contaminants²⁵
Missouri	\$15,542,800	\$24,490,200	\$13,319,000	\$24,176,110	\$2,592,000
Montana	\$8,816,080	\$13,891,500	\$7,555,000	\$4,281,620	\$459,000
Nebraska	\$8,816,080	\$13,891,500	\$7,555,000	\$4,460,470	\$478,000
Nevada	\$10,219,930	\$16,103,360	\$8,758,000	\$4,281,620	\$459,000
New Hampshire	\$8,816,080	\$13,891,500	\$7,555,000	\$8,715,140	\$935,000
New Jersey	\$15,046,920	\$23,708,650	\$12,894,000	\$35,637,700	\$3,821,000
New Mexico	\$8,816,080	\$13,891,500	\$7,555,000	\$4,281,620	\$459,000
New York	\$36,005,690	\$56,732,690	\$30,854,000	\$96,257,070	\$10,318,000
North Carolina	\$27,074,460	\$42,660,380	\$23,201,000	\$15,739,780	\$1,688,000
North Dakota	\$8,816,080	\$13,891,500	\$7,555,000	\$4,281,620	\$459,000
Ohio	\$22,172,990	\$34,937,000	\$19,001,000	\$49,095,550	\$5,264,000
Oklahoma	\$12,498,920	\$19,694,080	\$10,711,000	\$7,045,710	\$755,000
Oregon	\$11,599,770	\$18,277,000	\$9,940,000	\$9,851,940	\$1,056,000
Pennsylvania	\$27,147,470	\$42,775,040	\$23,264,000	\$34,545,000	\$3,704,000
Puerto Rico	\$8,816,080	\$13,891,500	\$7,555,000	\$11,374,860	\$1,220,000
Rhode Island	\$8,816,080	\$13,891,500	\$7,555,000	\$5,855,500	\$628,000
South Carolina	\$11,417,980	\$17,990,840	\$9,784,000	\$8,934,170	\$958,000
South Dakota	\$8,816,080	\$13,891,500	\$7,555,000	\$4,281,620	\$459,000
Tennessee	\$15,313,970	\$24,129,070	\$13,123,000	\$12,668,950	\$1,358,000
Texas	\$69,086,570	\$108,855,950	\$59,202,000	\$39,860,030	\$4,274,000
Utah	\$8,816,080	\$13,891,500	\$7,555,000	\$4,595,220	\$493,000
Vermont	\$8,816,080	\$13,891,500	\$7,555,000	\$4,281,620	\$459,000
Virginia	\$14,384,930	\$22,665,440	\$12,327,000	\$17,847,760	\$1,914,000
Washington	\$19,696,040	\$31,034,640	\$16,878,000	\$15,165,990	\$1,626,000
West Virginia	\$8,816,080	\$13,891,500	\$7,555,000	\$13,595,050	\$1,457,000
Wisconsin	\$15,026,340	\$23,676,310	\$12,877,000	\$23,576,840	\$2,527,000
Wyoming	\$8,816,080	\$13,891,500	\$7,555,000	\$4,281,620	\$459,000
States Total	\$859,588,380	\$1,354,421,250	\$736,612,000	\$854,727,580	\$91,635,000

Attachment 1 – Appendix B: CWSRF Definition of Emerging Contaminants

Emerging contaminants refer to substances and microorganisms, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment.²⁶ These substances, microorganisms or materials can include many different types of natural or manufactured chemicals and substances – such as those in some compounds of personal care products, pharmaceuticals, industrial chemicals, pesticides, and microplastics.^{27,28}

The main categories of emerging contaminants include but are not limited to:

- **Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and other persistent organic pollutants (POPs)** such as polybrominated diphenyl ethers (PBDEs; used in flame retardants, furniture foam, plastics, etc.) and other persistent organic contaminants such as perfluorinated organic acids, PFAS free foam flame retardants;
- **Biological contaminants and microorganisms**, such as antimicrobial resistant bacteria, biological materials, and pathogens;
- **Some compounds of pharmaceuticals and personal care products (PPCPs)**, including a wide suite of human prescribed drugs (e.g., antidepressants, blood pressure medications, hormones), over-the-counter medications (e.g., ibuprofen), bactericides, fragrances, UV filters (sunscreen agents), detergents, preservatives, and repellents;²⁹
 - Insect Repellents, Cosmetics and UV filters: DEET, Methylparabens, Benzophenone³⁰
 - Fragrances: HHCB and AHTN (7-acetyl-1,1,3,4,4,6-hexamethyl-1,2,3,4-tetrahydronaphthalene; CAS 21145-77-7; Tonalide)³¹
 - Cosmetic and food preservatives: BHA (butylated hydroxyanisole) and BHT (butylated hydroxytoluene)³²
 - Veterinary medicines such as antimicrobials, antibiotics, anti-fungals, growth promoters, investigational new animal drugs, and hormones;
 - Substances that illicit endocrine-disrupting chemicals (EDCs), including synthetic estrogens (e.g., 17 α ethynylestradiol, which also is a PCPP) and androgens (e.g., trenbolone, a veterinary drug), naturally occurring estrogens (e.g., 17 β -estradiol, testosterone), as well as many others (e.g., organochlorine pesticides, alkylphenols)
- **Nanomaterials** such as carbon nanotubes or nano-scale particulate titanium dioxide, of which little is known about either their environmental fate or effects.

²⁶ 2020 White House Office of Science & Technology Policy document which focused on drinking water/human health

²⁷ Contaminants of Emerging Concern under the Clean Water Act 2019, Congressional Research Services

²⁸ White Paper Aquatic Life Criteria for Contaminants of Emerging Concern 2008

²⁹ Peck, A.M. Analytical methods for the determination of persistent ingredients of personal care products in environmental matrices. *Anal Bioanal Chem* **386**, 907–939 (2006). <https://doi.org/10.1007/s00216-006-0728-3>

³⁰ Diana Montes-Grajales, Mary Fennix-Agudelo, Wendy Miranda-Castro,

Occurrence of personal care products as emerging chemicals of concern in water resources: A review, *Science of The Total Environment*, Volume 595, 2017, Pages 601-614, ISSN 0048-9697,

<https://doi.org/10.1016/j.scitotenv.2017.03.286>. (<https://www.sciencedirect.com/science/article/pii/S0048969717308161>)

³¹ J Environ Eng (New York). Author manuscript; available in PMC 2010 Feb 1. Published in final edited form as:

J Environ Eng (New York). 2009 Nov 1; 135(11): 1192. doi: 10.1061/(ASCE)EE.1943-7870.0000085

³² Soliman, Mary A., et al. “Human Pharmaceuticals, Antioxidants, and Plasticizers in Wastewater Treatment Plant and Water Reclamation Plant Effluents.” *Water Environment Research*, vol. 79, no. 2, 2007, pp. 156–167., <https://doi.org/10.2175/106143006x111961>.

- **Microplastics/Nanoplastics:** synthetic solid particle or polymeric matrix, with regular or irregular shape and with size smaller than 5 mm, of either primary or secondary manufacturing origin, or larger plastic materials that degrade into smaller pieces, including from tire wear (such as 6PPD), which are insoluble in water.³³ Primary microplastics include particles produced intentionally of this very small dimension, like pre-production pellets used as intermediate in plastic production, microbeads for abrasive functions or microfibers that form from synthetic textiles.³⁴

Projects that address contaminants with [water quality criteria established by EPA](#) under CWA section 304(a), except for PFAS are not eligible for CWSRF Emerging Contaminants funds.

³³ J.P.G.L. Frias, Roisin Nash, Microplastics: Finding a consensus on the definition, Marine Pollution Bulletin, Volume 138, 2019, Pages 145-147, ISSN 0025-326X, <https://doi.org/10.1016/j.marpolbul.2018.11.022>.
(<https://www.sciencedirect.com/science/article/pii/S0025326X18307999>)

³⁴ Silvia Galafassi, Luca Nizzetto, Pietro Volta, Plastic sources: A survey across scientific and grey literature for their inventory and relative contribution to microplastics pollution in natural environments, with an emphasis on surface water

Attachment 1 – Appendix C:

Detailed List of DWSRF Emerging Contaminants Project and Activity Examples

Below are non-exhaustive lists of DWSRF-eligible projects and activities under the BIL DWSRF Emerging Contaminants capitalization grants. For a project or activity to be eligible for funding under this appropriation, it must be otherwise DWSRF eligible, and the primary purpose must be to address emerging contaminants in drinking water with a focus on perfluoroalkyl and polyfluoroalkyl substances (PFAS) Projects that address any contaminant listed on any of EPA's [Contaminant Candidate Lists](#) are eligible (i.e., CCL1 – draft CCL5).

From the DWSRF Infrastructure Fund:

- Emerging contaminants costs associated with the construction of a new treatment facility or upgrade to an existing treatment facility that addresses emerging contaminants.
- Development of a new source (i.e., new/replacement well or intake for a public water system) that addresses an emerging contaminant issue [Note: water rights purchases must still meet the criteria in the [Class Deviation for Water Rights](#)].
- Consolidation with another water system that does not have emerging contaminants present or has removal capability.
- Costs for planning and design and associated pre-project costs.
- Infrastructure related to pilot testing for treatment alternatives.
- Creation of a new community water system to address unsafe drinking water provided by individual (i.e., privately-owned) wells or surface water sources.

From the DWSRF Set-asides:

- Direct technical assistance to public water systems (of any size) with emerging contaminants and treatment problems which could lead to a loan application.
- PFAS and other emerging contaminants project pre-development activities (such as determining if and where there is a problem).
- Technical assistance for eligible systems to diagnose emerging contaminants problems at their water systems.
- Project planning, preliminary engineering, and design.
- Funding state PWSS staff who are working on PFAS and emerging contaminants oversight.
- Incorporating training on PFAS and emerging contaminants into state operator certification materials.
- Obtain test kits/laboratory equipment for systems to test for newly recognized contaminants of concern and training to use that equipment.
- Pilot testing and studies on improving public water system operation.
- Source water protection activities (e.g., developing source water protection plans, well abandonment, etc.).
- Conducting initial, special (non-routine/non-compliance) monitoring to establish a baseline understanding of a contaminant of concern or operation of newly-used technology.

Attachment 1 – Appendix D: Detailed List of DWSRF Lead Service Line Replacement Project and Activity Examples

Below are non-exhaustive lists of DWSRF-eligible projects and activities under the BIL DWSRF Lead Service Line Replacement (LSLR) capitalization grants. For a project or activity to be eligible for funding under this appropriation, it must be otherwise DWSRF eligible and be a LSLR project or associated activity *directly connected* to the identification, planning, design, and replacement of lead service lines. Any project funded under this appropriation involving the replacement of a lead service line must replace the entire lead service line, not just a portion, unless a portion has already been replaced.

From the DWSRF Infrastructure Fund:

- Complete removal of lead service lines (public and privately owned portion) or service lines made of galvanized iron or galvanized steel (that are currently or have previously been downstream of lead components) and replacement with a pipe that meets the requirements established under 40 CFR 143 and which complies with state and local plumbing codes and or building codes.
- Removal of lead or galvanized goosenecks, pigtails, and connectors, and replacement with an acceptable material that meets the requirements established under 40 CFR 143 and which complies with state and local plumbing codes and or building codes.
- Replacement of curb stops, curb stop boxes, and other service line appurtenances that are removed as part of full LSLR.
- Site restoration, including landscaping, sidewalks, driveways, etc. if the removal was necessary to replace the lead service line.
- Permit fees if the fees are normal, required, and specific to the LSLR. It is recommended that communities waive these fees.
- Temporary pitcher filters or point-of-use (POU) devices certified by an American National Standards Institute accredited certifier to reduce lead during or for a short time period after LSLR projects.
- Development or updating of lead service line inventories, including locating and mapping lead service lines.
 - Methods of investigation to develop inventories could include visual observation, water quality sampling (non-compliance), excavation, vacuum or hydro-excavation, statistical analysis, or other emerging technologies.
- Planning and design for infrastructure projects listed above.
- Non-routine lead sampling (if not for compliance purposes) as part of a LSLR project.

From the DWSRF Set-asides:

- Planning and design for LSLR infrastructure projects.
- Developing or updating lead service line inventories, including locating and mapping lead service lines.
- Providing technical assistance to small water systems undertaking lead service line inventories or construction projects.
- Funding state staff and contractors to work on LSLR education and outreach and inventory plans, etc.
- Non-routine lead sampling (if not for compliance purposes).

Attachment 1 – Appendix E:

Additional Information to Assist States with Developing a Disadvantaged Community Definition and Affordability Criteria

Congress established that 49% of funding allocated to the SRF programs through the General Supplemental and Lead Service Line Replacement (LSLR) capitalization grants must be provided as additional subsidization for eligible CWSRF assistance recipients or project types as described in section 603(i) of the Clean Water Act (CWA) and water systems that meet the state’s disadvantaged community criteria as described in section 1452(d) of the Safe Drinking Water Act (SDWA) for the DWSRF. Also, for the DWSRF Emerging Contaminants funding, states must direct at least 25% of these funds to disadvantaged communities (as defined by the state under SDWA 1452(d)) or public water systems serving fewer than 25,000 persons.

Under Section 50216 of the BIL, EPA must conduct an analysis of programs under CWA title VI and SDWA section 1452 to identify historical distribution of funds to small and disadvantaged communities and new opportunities and methods to improve the distribution of funds under those programs to low-income, rural, minority, and indigenous communities. A report must be submitted to the congressional committees upon completion of the analysis by November 15, 2023.

There is significant variation across the country in the amount of assistance directed to disadvantaged communities and the characteristics of communities that qualify for this assistance. The CWA and the SDWA both state that the Administrator may publish information to assist states in establishing affordability criteria. The information in this memo is one step in an ongoing EPA effort to analyze criteria and adjust them as needed to ensure that the definitions used are compliant with the CWA and SDWA as well as meet the community affordability needs within states. Some key considerations are described below for evaluating how different affordability criteria can capture communities in need. EPA will work with states to strengthen their criteria for distributing additional subsidization. EPA may also provide additional information identified as part of Justice 40. Any criteria or thresholds should be modified by SRF programs to reflect state conditions and considerations.

Examples of criteria within affordability and disadvantaged community definitions that can be barriers include:

- Definitions solely based or contingent upon an “unaffordable” rate. Some state rate considerations serve to assist in affordability determinations, but others do so in a way that can be a barrier to systems with low capacity and a poor rate structure.
- Definitions that include a low cap on additional subsidy (e.g., 30%) are a barrier to communities that need a higher amount of additional subsidization to be able to take the loan.
- Definitions based solely on population or definitions that include population as a determining factor.

EPA strongly encourages states to amend their affordability and disadvantaged community definitions if they currently utilize any of these three criteria.

CWSRF Affordability Criteria

Section 603(i)(2) of the CWA states:

AFFORDABILITY CRITERIA.—
(A) ESTABLISHMENT.—

- (i) IN GENERAL.—Not later than September 30, 2015, and after providing notice and an opportunity for public comment, a State shall establish affordability criteria to assist in identifying municipalities that would experience a significant hardship raising the revenue necessary to finance a project or activity eligible for assistance under subsection (c)(1) if additional subsidization is not provided.*
- (ii) CONTENTS.—The criteria under clause (i) shall be based on income and unemployment data, population trends, and other data determined relevant by the State, including whether the project or 16 activity is to be carried out in an economically distressed area, as described in section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161).*
- (B) EXISTING CRITERIA.—If a State has previously established, after providing notice and an opportunity for public comment, affordability criteria that meet the requirements of subparagraph (A)—*
- (i) the State may use the criteria for the purposes of this subsection; and*
- (ii) those criteria shall be treated as affordability criteria established under this paragraph.*
- (C) INFORMATION TO ASSIST STATES.—The Administrator may publish information to assist States in establishing affordability criteria under subparagraph (A).*

The CWA section 603(i)(2) requires states to develop affordability criteria that will assist them in identifying applicants that would have difficulty financing projects without additional subsidization. The CWA section 603(i)(2)(A) requires that criteria be based on:

- income;
- unemployment data;
- population trends; and
- other data determined relevant by the state.

Income, unemployment data, and population trends must be reflected in state affordability criteria; however, the statute does not prescribe the weight that must be given to each type of criteria. States have the flexibility to determine which of the required criteria are most relevant to their CWSRF programs and may structure their program's criteria accordingly. States should periodically review and update their criteria to ensure that it is still appropriate for economic conditions in the state and that they are utilizing the most current data.

Additional Information to Assist States in Establishing Affordability Criteria

Per section 603(i)(2) of the CWA, the CWSRF affordability criteria must include income, unemployment data, and population trends. As demonstrated by the wide range of criteria developed by the states, there are many factors to consider within each criterion. The following are examples of metrics that EPA suggests states consider when reviewing their affordability criteria. States have the flexibility to use different percentages based on demographics and other state-specific factors. The metrics may be set numbers for a state or tiered numbers to address specific yet diverse state needs. States should also consider how a mix of affordability criteria may be used to meet community needs. States should periodically review their affordability criteria to ensure that it is still appropriate for the socioeconomic conditions in the state and uses the most current available data.

Income:

- Community MHI is less than 80% of State MHI
- Communities with \$25,766 or less upper limit of Lowest Quintile Income
- Communities with $\geq 30.9\%$ Population Living Under 200% of Poverty Level

- Community with census tracts that have a poverty rate greater than or equal to 20%³⁵

Unemployment Data:

- Communities with $\geq 3.4\%$ Unemployed Population ≥ 16 years in Civilian Labor Force

Population Trends:

- Communities with $\geq 12.1\%$ Vacant Households

Other Data Determined Relevant by the State:

- Community in a county with a Social Vulnerability Index score higher than 0.80³⁶
- Combined sewer and drinking water costs are greater than 2% of the 20th percentile household income (i.e., the Lowest Quintile of Income for the Service Area)
- Communities with 10% of failing decentralized systems
- Communities with $\geq 11.7\%$ Population Receiving Food Stamps/SNAP Benefits
- Communities with Lagoon systems not achieving water quality standards

DWSRF Disadvantaged Communities

Section 1452 (d) of the SDWA states:

Assistance for disadvantaged communities

(3) "Disadvantaged community" defined

In this subsection, the term "disadvantaged community" means the service area of a public water system that meets affordability criteria established after public review and comment by the State in which the public water system is located. The Administrator may publish information to assist States in establishing affordability criteria.

Additional Information to Assist States in Establishing a Disadvantaged Community Definition

The following are examples of criteria that states are currently using or may want to consider using. Note that some states define a disadvantaged community to include a large public water system where a particular project within the system addresses a sub-set of the service area that meets affordability criteria. States may use different percentages and thresholds based on demographics and other state-specific factors. The metrics may be set numbers for a state or tiered numbers to address specific state needs to best address the health protection objectives of SDWA. States should also consider how a mix of affordability criteria may be used to meet community needs. States should periodically review their affordability criteria and disadvantaged community definition to ensure that it is still appropriate for the economic conditions in the state and uses the most current available data.

- Communities with census tracts that have [X poverty indicator] are eligible for lead service line additional subsidy if the recipient uses those funds for the direct benefit of those residents
- Community MHI is less than 80% of State MHI
- Communities with \$25,766 or less upper limit of Lowest Quintile Income
- Communities with $\geq 30.9\%$ Population Living Under 200% of Poverty Level
- Community with census tracts that have a poverty rate greater than or equal to 20%³⁷
- Communities with $\geq 3.4\%$ Unemployed Population ≥ 16 years in Civilian Labor Force
- Communities with $\geq 12.1\%$ Vacant Households

³⁵ Using the Census Bureau's official poverty measure (OPM).

³⁶ Using the most recent SVI score calculated by the Centers for Disease Control and Prevention (CDC) using the American Community Survey (ACS). <https://svi.cdc.gov/map.html>

³⁷ Using the Census Bureau's official poverty measure (OPM).

- Community in a county with a Social Vulnerability Index score higher than 0.80³⁸
- Combined sewer and drinking water costs are greater than 2% of the 20th percentile household income (i.e., the Lowest Quintile of Income for the Service Area)
- Communities with $\geq 11.7\%$ Population Receiving Food Stamps/SNAP Benefits

³⁸ Using the most recent SVI score calculated by the Centers for Disease Control and Prevention (CDC) using the American Community Survey (ACS). <https://svi.cdc.gov/map.html>

Attachment 2: Implementation of CWSRF-Related Amendments in the Bipartisan Infrastructure Law

On November 15, 2021, President Biden signed the Bipartisan Infrastructure Law (BIL) into law. Among its provisions are amendments to Title VI the Clean Water Act (CWA) that make changes to the base CWSRF program. This document summarizes the key changes and provides the relevant legislative text. These changes apply to all capitalization grants awarded after November 15, 2021.

Summary of Changes to Base CWSRF

- **Reauthorization of CWSRF:** The BIL reauthorized the CWSRF from federal fiscal years 2022 through 2026. The funding levels will be set by through the annual appropriations process. Authorized levels are provided in the table below.

FY22	FY23	FY24	FY25	FY26
\$2.4B	\$2.75B	\$3.0B	\$3.25B	\$3.25B

- **Additional Authorization:** The BIL authorizes additional appropriations of \$1,639,000,000 for each fiscal year 2022 through 2026. The funding levels will be set by through the annual appropriations process.
- **Additional Subsidization:** The BIL amended requirements related to additional subsidization. States are required to use at least 10% (an increase from 0%), but no more than 30%, of the capitalization grant amount to provide additional subsidy to the following:
 - municipalities that meet the state's affordability criteria;
 - municipalities that do not meet the state's affordability criteria but seek additional subsidization to benefit individual ratepayers in the residential user rate class;
 - entities that implement a process, material, technique, or technology that addresses water or energy efficiency goals; mitigates stormwater runoff; or encourages sustainable project planning, design, and construction.

The BIL also expands the eligible uses of additional subsidy to include:

- grants;
- buying, refinancing, or restructuring of debt; and
- other loan forgiveness.
- **Technical Assistance Funding:** The BIL includes a provision that allows states to use up to an amount equal to 2% of their annual CWSRF capitalization grant for the purpose of hiring staff, nonprofit organizations, or regional, interstate, or municipal entities to assist rural, small, and tribal publicly owned treatment works.
- **Analysis of Fund Distribution to Disadvantaged Communities:** The BIL included a provision that directs EPA to conduct an analysis of fund distributions to small and disadvantaged communities by November 15, 2023. EPA Headquarters and Regions will work collaboratively with states in this analysis.

- **Build America, Buy America:** The BIL established the Build America, Buy America (BABA) Act domestic sourcing requirements for federal financial assistance programs for infrastructure, including the SRF programs. EPA water infrastructure programs must comply with the BABA provision. EPA will be issuing BABA guidance for all water infrastructure programs upon publication of Office of Management and Budget agency-wide guidance.
- **Clean Watersheds Needs Survey:** The BIL expands the Clean Watersheds Needs Survey to include all capital projects eligible for CWSRF funding. It also authorizes \$5 million for implementing the Clean Watershed Needs Survey.

Amended Legislative Text and Explanation

Text in *italics* is new and text in ~~strike through~~ was deleted.

BIL §50210(a)(1)(A): Types of Assistance

Section 603(d)

As amended, CWA section 603(d) now states:

(d) TYPES OF ASSISTANCE.—Except as otherwise limited by State law *and provided in subsection (k)*, a water pollution control revolving fund of a State under this section may be used only—

Explanation: The CWA now incorporates an additional type of CWSRF assistance, as described in subsection (k). See below for additional information about this type of assistance.

BIL §50210(a)(1)(B): Additional Subsidization

Section 603(i)

As amended, the CWA section 603(i) now states:

(i) ADDITIONAL SUBSIDIZATION.—

(1) IN GENERAL.—In any case in which a State provides assistance to an eligible recipient under subsection (d), the State may provide additional subsidization (*including forgiveness of principal, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt*) ~~including forgiveness of principal and negative interest loans~~—

(A) to benefit a municipality that—

- (i) meets the affordability criteria of the State established under paragraph (2); or
- (ii) does not meet the affordability criteria of the State if the recipient—
 - (I) seeks additional subsidization to benefit individual ratepayers in the residential user rate class;
 - (II) demonstrates to the State that such ratepayers will experience a significant hardship from the increase in rates necessary to finance the project or activity for which assistance is sought; and
 - (III) ensures, as part of an assistance agreement between the State and the recipient, that the additional subsidization provided under

- this paragraph is directed through a user charge rate system (or other appropriate method) to such ratepayers; or
- (B) to implement a process, material, technique, or technology—
- (i) to address water-efficiency goals;
 - (ii) to address energy-efficiency goals;
 - (iii) to mitigate stormwater runoff; or
 - (iv) to encourage sustainable project planning, design, and construction.
- (2) AFFORDABILITY CRITERIA.—
- (A) ESTABLISHMENT.—
- (i) IN GENERAL.—Not later than September 30, 2015, and after providing notice and an opportunity for public comment, a State shall establish affordability criteria to assist in identifying municipalities that would experience a significant hardship raising the revenue necessary to finance a project or activity eligible for assistance under subsection (c)(1) if additional subsidization is not provided.
 - (ii) CONTENTS.—The criteria under clause (i) shall be based on income and unemployment data, population trends, and other data determined relevant by the State, including whether the project or activity is to be carried out in an economically distressed area, as described in section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161).
- (B) EXISTING CRITERIA.—If a State has previously established, after providing notice and an opportunity for public comment, affordability criteria that meet the requirements of subparagraph (A)—
- (i) the State may use the criteria for the purposes of this subsection; and
 - (ii) those criteria shall be treated as affordability criteria established under this paragraph.
- (C) INFORMATION TO ASSIST STATES.—The Administrator may publish information to assist States in establishing affordability criteria under subparagraph (A).
- (3) LIMITATIONS.—
- (A) IN GENERAL.—A State may provide additional subsidization in a fiscal year under this subsection only if the total amount appropriated for making capitalization grants to all States under this title for the fiscal year exceeds \$1,000,000,000.
- (B) TOTAL AMOUNT OF SUBSIDIZATION.—
- (i) *In general.*--For each fiscal year, of the amount of the capitalization grant received by the State under this title, the total amount of additional subsidization made available by a State under paragraph (1)—
 - (I) may not exceed 30 percent; and
 - (II) to the extent that there are sufficient applications for assistance to communities described in that paragraph, may not be less than 10 percent.
 - (ii) *Exclusion.*--A loan from the water pollution control revolving fund of a State with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subparagraph.
- ~~(B) ADDITIONAL LIMITATION.—~~
- ~~(i) GENERAL RULE.—Subject to clause (ii), a State may use not more than 30 percent of the total amount received by the State in capitalization~~

~~grants under this title for a fiscal year for providing additional subsidization under this subsection.~~

~~(ii) EXCEPTION.—If, in a fiscal year, the amount appropriated for making capitalization grants to all States under this title exceeds \$1,000,000,000 by a percentage that is less than 30 percent, clause (i) shall be applied by substituting that percentage for 30 percent.~~

(C) APPLICABILITY.—The authority of a State to provide additional subsidization under this subsection shall apply to amounts received by the State in capitalization grants under this title for fiscal years beginning after September 30, 2014.

(D) CONSIDERATION.—If the State provides additional subsidization to a municipality or intermunicipal, interstate, or State agency under this subsection that meets the criteria under paragraph (1)(A), the State shall take the criteria set forth in section 602(b)(5) into consideration.

Explanation: Section 603(i) of the CWA now requires states to provide between 10% and 30% of their capitalization grant as additional subsidization whenever the annual appropriation is greater than \$1,000,000,000, “to the extent there are sufficient applications for assistance.” States unable to find sufficient eligible projects should explain in their Intended Use Plan (IUP) and Annual Report why the provision was not met and what they are doing to ensure that this provision is met in future years (e.g., marketing, outreach, technical assistance).

Additional subsidization may only be provided for the following:

- to benefit a municipality that meets the state’s affordability criteria as established under the CWA section 603(i)(2);
- to benefit a municipality that does not meet the state’s affordability criteria but seeks additional subsidization to benefit individual ratepayers in the residential user rate class; or
- to any eligible recipient to implement a process, material, technique, or technology that addresses water or energy efficiency goals; mitigates stormwater runoff; or encourages sustainable project planning, design, and construction.

If additional subsidization is being used to benefit individual ratepayers in the residential user rate class of a municipality that does not meet the affordability criteria, then the recipient must demonstrate to the CWSRF’s satisfaction that these ratepayers would otherwise experience a significant hardship from the increase in rates necessary to finance the project or activity for which assistance is being sought. Additionally, the assistance agreement between the CWSRF and the recipient must include language indicating that the additional subsidization would be provided to these ratepayers through a user charge rate system or other appropriate method.

This section has also been amended by BIL to expand the eligible types of additional subsidy that states may offer to assistance recipients. Prior to the passage of BIL, CWA authorized additional subsidies explicitly in the form of a *loan* (e.g., loans which include principal forgiveness and/or a negative interest rate).

As amended by BIL, CWA section 603(i) now explicitly adds grants as an eligible form of additional subsidy.³⁹ States should be aware that “grant” recipients are legally considered “subrecipients” for the purposes of OMB’s grant regulations at 2 CFR Part 200 *et. seq.* In other words, assistance recipients

³⁹ Though not explicitly mentioned, states could still provide additional subsidy as grants under CWA section 603(i)

receiving additional subsidy in the form of a grant are subject to additional cross-cutting federal requirements not applicable to those receiving other forms of additional subsidy. EPA's [subaward policy](#) establishes the requirements and procedures for Grants Management Offices and Program Offices in making determinations regarding subrecipient eligibility, overseeing pass-through entity monitoring and management of subawards, and authorizing fixed amount subawards under 2 CFR 200.331, 200.332, and 200.333 ("the applicable regulations").

As amended by BIL section 603(i) also adds "buying, refinancing, or restructuring of debt" as options for offering additional subsidy to eligible assistance recipients. States may only purchase, refinance, or restructure debt that was associated with a CWSRF-eligible project. It is not necessary for the debt to have originated with the state's CWSRF program. However, the projects must still have been CWSRF-eligible and met all applicable CWSRF requirements. It is important to note that BIL codifies that an assistance agreement with a 0% or higher interest rate is not considered to be additional subsidy. In other words, the monetary savings to an assistance recipient for a loan with, for example, a 2% interest rate versus a 4% interest rate is not considered additional subsidization.

Finally, CWA section 603(i) allows states to provide additional subsidy in the form of other loan forgiveness. Any state intending to offer other loan forgiveness must provide sufficient documentation within the Intended Use Plan, showing that such assistance is consistent with the other eligible forms of additional subsidy by resulting in a permanent reduction in principal that must be repaid.

BIL §50210(a)(1)(C): Technical Assistance

Section 603(k)

As amended, the CWA now includes section 603(k), which states:

(k) Additional Use of Funds.--A State may use an additional 2 percent of the funds annually awarded to each State under this title for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.

Explanation: States may use up to an amount equal to 2% of their annual capitalization grant to provide assistance to nonprofit organizations⁴⁰ or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works. Examples of such assistance include, but are not limited to, retaining circuit riders to provide technical assistance; contracting with technical assistance providers; contracting with engineering firms directly to help develop projects; retaining certified public accountants or financial institutions to help recipients

⁴⁰ Consistent with the definition of *Nonprofit organization* at 2 CFR § 200.1, the term nonprofit organization means any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes nonprofit colleges, universities, other educational institutions and tax-exempt nonprofit neighborhood and labor organizations. Nonprofit organizations that are not exempt from taxation under section 501 of the Internal Revenue Code must submit other forms of documentation of nonprofit status; such as certificates of incorporation as nonprofit under state or tribal law. Nonprofit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that lobby are not eligible for EPA funding as provided in the Lobbying Disclosure Act, 2 U.S.C. 1611.

complete the financial portions of SRF application packages; and retaining entities to complete Davis-Bacon related acts and/or AIS/BABAA compliance for recipients.

The maximum amount of CWSRF money that may be used to provide technical assistance consistent with section 603(k) of the CWA is an amount equal to 2% of all grant awards received by a state CWSRF after November 15, 2021. If a state does not utilize the full amount of the technical assistance funds allowed under a capitalization grant, they may reserve the right to utilize the unused portion at a later date.

States must include in the Intended Use Plan the amount of the technical assistance funds they plan to use as well as a description of the activities they plan to fund. In the Annual Report and the SRF Reporting System, states must provide a detailed accounting of the use of the funds.

BIL §50210(b): Capitalization Grant Reauthorization

Section 607

As amended, CWA section 607 now states:

SEC. 607. AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out the purposes of this title ~~the following sums:~~

- ~~(1) \$1,200,000,000 per fiscal year for each of fiscal year 1989 and 1990;~~
- ~~(2) \$2,400,000,000 for fiscal year 1991;~~
- ~~(3) \$1,800,000,000 for fiscal year 1992;~~
- ~~(4) \$1,200,000,000 for fiscal year 1993; and~~
- ~~(5) \$600,000,000 for fiscal year 1994.~~
- (1) \$2,400,000,000 for fiscal year 2022;
- (2) \$2,750,000,000 for fiscal year 2023;
- (3) \$3,000,000,000 for fiscal year 2024; and
- (4) \$3,250,000,000 for each of fiscal years 2025 and 2026.

Explanation: This section reauthorizes the CWSRF from federal fiscal years 2022 through 2026. The funding levels will be set through the annual appropriations process.

BIL §50220: Clean Watersheds Needs Survey

As amended, the CWA now includes section 609, which states:

SEC. 609. CLEAN WATERSHEDS NEEDS SURVEY.

(a) Requirement.--Not later than 2 years after the date of enactment of this section, and not less frequently than once every 4 years thereafter, the Administrator shall---

(1) conduct and complete an assessment of capital improvement needs for all projects that are eligible under section 603(c) for assistance from State water pollution control revolving funds; and

(2) submit to Congress a report describing the results of the assessment completed under paragraph (1).

(b) Authorization of Appropriations.--There is authorized to be appropriated to carry out the initial needs survey under subsection (a) \$5,000,000, to remain available until expended.

Explanation: This section expands the Clean Watersheds Needs Survey to include all capital projects eligible for CWSRF funding under CWA section 603(c). It also authorizes \$5 million for implementing the Clean Watershed Needs Survey.

Other BIL sections involving the CWSRF

BIL §50216: Small and Disadvantaged Community Analysis

This section is part of BIL and relates to the CWSRF but is not a new section of the CWA.

(a) ANALYSIS.—*Not later than 2 years after the date of enactment of this Act, using environmental justice data of the Environmental Protection Agency, including data from the environmental justice mapping and screening tool of the Environmental Protection Agency, the Administrator shall carry out an analysis under which the Administrator shall assess the programs under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) to identify historical distributions of funds to small and disadvantaged communities and new opportunities and methods to improve on the distribution of funds under those programs to low income communities, rural communities, minority communities, and communities of indigenous peoples, in accordance with Executive Order 12898 (42 U.S.C. 4321 note; 60 Fed. Reg. 6381; relating to Federal actions to address environmental justice in minority populations and low-income populations).*

(b) REQUIREMENT.—*The analysis under subsection (a) shall include an analysis, to the extent practicable, of communities in the United States that do not have access to drinking water or wastewater services.*

(c) REPORT.—*On completion of the analysis under subsection (a), the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives a report describing—*

(1) the results of the analysis; and

(2) the criteria the Administrator used in carrying out the analysis.

Explanation: This section directs EPA to conduct an analysis of fund distributions to small and disadvantaged communities by November 15, 2023.

BIL §70901: Build America, Buy America Act

Title IX of BIL creates the Build America, Buy America (BABA) Act domestic sourcing requirements for Federal financial assistance programs for infrastructure, including the SRF programs. See Title IX language beginning on page 866 of [the BIL](#). For more specific information on BABA implementation, please refer to the upcoming Office of Management and Budget’s Build America, Buy America Act Implementation Guidance. EPA will issue a separate memorandum for BABA after OMB publishes its guidance.

EPA General Provisions Section 614: CWSRF Additional Authorization

This section is part of the EPA General Provisions in BIL:

SEC. 614. (b) Clean Water.—*There is authorized to be appropriated to carry out the purposes of title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.), in addition to amounts otherwise authorized to be appropriated for those purposes, an additional \$1,639,000,000 for each of fiscal years 2022 through 2026.*

Explanation: This section authorizes additional appropriations from federal fiscal years 2022 through 2026. The funding levels will be set by through the annual appropriations process.

Attachment 3: Implementation of DWSRF-Related Amendments in the Bipartisan Infrastructure Law

On November 15, 2021, President Biden signed the Bipartisan Infrastructure Law (BIL) into law. Among its provisions are amendments to the Safe Drinking Water Act §1452 (42 U.S.C. 300j-12) that make changes to the base DWSRF program. This document summarizes the key changes and provides the relevant legislative text. These changes apply to all capitalization grants awarded after November 15, 2021.

Summary of Changes to Base DWSRF

- **Reauthorization of DWSRF:** The BIL reauthorized the DWSRF from federal fiscal years 2022 through 2026. The funding levels will be set through the annual appropriations process. Authorized levels are provided in the table below.

FY22	FY23	FY24	FY25	FY26
\$2.4B	\$2.75B	\$3.0B	\$3.25B	\$3.25B

- **Additional Authorization:** The BIL authorizes additional appropriations of \$1,126,000,000 for each fiscal year 2022 through 2026 for the DWSRF. The funding levels will be set through the annual appropriations process.
- **Assistance for Disadvantaged Communities:** The BIL amended requirements related to additional subsidy assistance for disadvantaged communities. States are required to use at least 12% (an increase from 6%), but no more than 35%, of the capitalization grant amount for additional subsidy for state-defined Disadvantaged Communities. The BIL also expands the eligible uses of additional subsidy to include:
 - grants;
 - buying, refinancing, or restructuring debt; and
 - other loan forgiveness.
- **Technical Assistance Set-Aside:** The EPA Administrator is authorized to take a portion of DWSRF appropriations for the small system technical assistance national set-aside. The authorized set side is up to 2% and is taken prior to the calculation of the state allotments. This authorization lasts through federal fiscal year 2026. This authorization has existed since the 1996 SDWA Amendments.
- **Analysis of Fund Distribution to Disadvantaged Communities:** The BIL directs EPA to conduct an analysis of fund distributions to small and disadvantaged communities by November 15, 2023. EPA Headquarters and Regions will work collaboratively with states in this analysis.
- **Build America, Buy America:** The BIL established the Build America, Buy America (BABA) Act domestic sourcing requirements for federal financial assistance programs for infrastructure, including the SRF programs. EPA water infrastructure programs must comply with the BABA provision. EPA will be issuing BABA guidance for all water infrastructure programs upon publication of Office of Management and Budget agency-wide guidance.

- **American Iron and Steel (AIS):** AIS is now permanent for all DWSRF-funded projects.

Amended Legislative Text and Explanation

Text in *italics* is new and text in ~~strike through~~ was deleted.

BIL §50102(a): American Iron and Steel Requirement

As amended, the SDWA §1452(a)(4)(A) now states:

(4) American iron and steel products

(A) In general

~~During fiscal years 2019 through 2023, funds~~ *Funds* made available from a State loan fund established pursuant to this section may not be used for a project for the construction, alteration, or repair of a public water system unless all of the iron and steel products used in the project are produced in the United States.

Explanation: This section makes the American Iron and Steel (AIS) provision permanent for DWSRF-funded projects.

BIL §50102(a): Authorization of Appropriations

As amended, the SDWA §1452(m) now states:

(m) Authorization of appropriations

(1) There are authorized to be appropriated to carry out the purposes of this section, except for subsections (a)(2)(G) and (t)-

- (A) \$1,174,000,000 for fiscal year 2019;
- (B) \$1,300,000,000 for fiscal year 2020; ~~and~~
- (C) \$1,950,000,000 for fiscal year 2021-; *and*
- (D) \$2,400,000,000 for fiscal year 2022;
- (E) \$2,750,000,000 for fiscal year 2023;
- (F) \$3,000,000,000 for fiscal year 2024; *and*
- (G) \$3,250,000,000 for each of fiscal years 2025 and 2026.

(2) To the extent amounts authorized to be appropriated under this subsection in any fiscal year are not appropriated in that fiscal year, such amounts are authorized to be appropriated in a subsequent fiscal year. Such sums shall remain available until expended.

Explanation: This section reauthorizes the DWSRF from federal fiscal years 2022 through 2026. The funding levels will be set through the annual appropriations process.

BIL §50102(a): Authorization of Small System Technical Assistance Set-aside

As amended, the SDWA §1452(q) now states:

(q) Small system technical assistance

The Administrator may reserve up to 2 percent of the total funds made available to carry out this section for each of fiscal years ~~2016 through 2021~~ *2022 through 2026* to carry out the provisions of section 300j-1(e) of this title (relating to technical assistance for small systems), except that the total amount of funds made available for such purpose in any fiscal year through

appropriations (as authorized by section 300j–1(e) of this title) and reservations made pursuant to this subsection shall not exceed the amount authorized by section 300j–1(e) of this title.

Explanation: This section reauthorizes the EPA Administrator to take up to 2% of the Congressional DWSRF appropriation, prior to the calculation of the state allotments, for the small system technical assistance national set-aside. This authorization lasts through federal fiscal year 2026. This authorization has existed since the 1996 SDWA Amendments.

BIL §50102(b): Assistance for Disadvantaged Communities

As amended, the SDWA §1452(d) now states:

(d) Assistance for disadvantaged communities

(1) Loan subsidy

~~Notwithstanding any~~ (A) *IN GENERAL.*—*Notwithstanding any other provision of this section, in any case in which the State makes a loan pursuant to subsection (a)(2) to a disadvantaged community or to a community that the State expects to become a disadvantaged community as the result of a proposed project, the State may provide additional subsidization (including forgiveness of principal), grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt).*

(B) *EXCLUSION.*—*A loan from a State loan fund with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subsection.*

(2) Total amount of subsidies

For each fiscal year, of the amount of the capitalization grant received by the State for the year, the total amount of loan subsidies made by a State pursuant to paragraph (1)-

(A) may not exceed 35 percent; and

~~(B) to the extent that there are sufficient applications for loans to communities described in paragraph (1), may not be less than 6 percent.~~

(B) *to the extent that there are sufficient applications for loans to communities described in paragraph (1), may not be less than 12 percent.*

(3) "Disadvantaged community" defined

In this subsection, the term "disadvantaged community" means the service area of a public water system that meets affordability criteria established after public review and comment by the State in which the public water system is located. The Administrator may publish information to assist States in establishing affordability criteria.

Explanation: This section requires states to use at least 12%, but no more than 35%, of the capitalization grant amount for additional subsidy for state-defined Disadvantaged Communities. Before BIL, the floor was 6%. This requirement pertains to capitalization grants awarded by EPA to states after November 15, 2021. For most states, this is the Federal Fiscal Year 2022 capitalization grant. Note that the Disadvantaged Community Additional Subsidy authority is distinct from the additional subsidy authority Congress provided under recent appropriations acts.

States must continue to implement a Disadvantaged Community Program and solicit applications from water systems. EPA encourages states to maximize the use of this authority to help address affordability of drinking water in disadvantaged communities.

This section also expands the eligible types of Disadvantaged Community Additional Subsidy that states may offer to assistance recipients. Prior to the passage of BIL, SDWA authorized additional subsidies exclusively in the form of a *loan* (e.g., loans which include principal forgiveness and/or a negative interest rate).

States may now offer additional subsidization under this authority to assistance recipients in the form of grants. States should be aware that “grant” recipients are legally considered “subrecipients” for the purposes of OMB’s grant regulations at 2 CFR Part 200 *et. seq.* In other words, assistance recipients receiving additional subsidy in the form of a grant are subject to additional cross-cutting federal requirements not applicable to those receiving other forms of additional subsidy, including a *loan* with principal forgiveness or a negative interest rate. EPA’s [subaward policy](#) establishes the requirements and procedures for Grants Management Offices and Program Offices in making determinations regarding subrecipient eligibility, overseeing pass-through entity monitoring and management of subawards, and authorizing fixed amount subawards under 2 CFR 200.331, 200.332, and 200.333 (“the applicable regulations”).

BIL also adds “other loan forgiveness” and “buying, refinancing, or restructuring of debt” as additional subsidization options for states to consider offering to assistance recipients. States may only purchase, refinance, or restructure debt and provide “other loan forgiveness” for projects that were DWSRF-eligible and met DWSRF requirements. It is not necessary for the debt to have originated with the state’s DWSRF program. Like all DWSRF projects, these assistance agreements must be scored and ranked amongst all other projects and have met all DWSRF requirements.

BIL codifies that a loan with a 0% or higher interest rate is not considered to be additional subsidy. In other words, the monetary savings to an assistance recipient for a loan with, for example, a 2% interest rate versus a 4% interest rate is not considered additional subsidization. This affirms what is written in the current DWSRF regulations.⁴¹

As a reminder, fees included as principal in a loan cannot be assessed on a disadvantaged community receiving additional subsidy under the Disadvantaged Community Additional Subsidy authority.⁴²

EPA Regions must verify whether a state satisfies the mandate to use between 12% and 35% of the capitalization grant amount for the Disadvantaged Community Additional Subsidy at the time of grant application and during reviews.

Other BIL Sections Involving the DWSRF

BIL §50216: Small and Disadvantaged Community Analysis

This section is part of BIL and relates to the DWSRF but is not a new section of SDWA.

(a) ANALYSIS.—*Not later than 2 years after the date of enactment of this Act, using environmental justice data of the Environmental Protection Agency, including data from the environmental justice mapping and screening tool of the Environmental Protection Agency, the Administrator shall carry out an analysis under which the Administrator shall assess the programs under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and section 1452 of the Safe Drinking Water Act (42*

⁴¹ 40 CFR §35.3525(b)

⁴² 40 CFR §35.3530(b)(3)

U.S.C. 300j–12) to identify historical distributions of funds to small and disadvantaged communities and new opportunities and methods to improve on the distribution of funds under those programs to low income communities, rural communities, minority communities, and communities of indigenous peoples, in accordance with Executive Order 12898 (42 U.S.C. 4321 note; 60 Fed. Reg. 6381; relating to Federal actions to address environmental justice in minority populations and low-income populations).

(b) REQUIREMENT.—*The analysis under subsection (a) shall include an analysis, to the extent practicable, of communities in the United States that do not have access to drinking water or wastewater services.*

(c) REPORT.—*On completion of the analysis under subsection (a), the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives a report describing—*

(1) the results of the analysis; and

(2) the criteria the Administrator used in carrying out the analysis.

Explanation: This section directs EPA to conduct an analysis of fund distributions to small and disadvantaged communities by November 15, 2023.

EPA General Provisions Section 614: DWSRF Additional Authorization

This section is part of the EPA General Provisions in BIL:

SEC. 614. (a) DRINKING WATER.—*There is authorized to be appropriated to carry out the purposes of section 1452 of the Safe Drinking Water Act (42 U.S.C.300j–12), in addition to amounts otherwise authorized to be appropriated for those purposes, an additional \$1,126,000,000 for each of fiscal years 2022 through 2026.*

Explanation: This section authorizes additional appropriations from federal fiscal years 2022 through 2026. The funding levels will be set through the annual appropriations process.

BIL §70901: Build America, Buy America Act

Title IX of BIL creates the Build America, Buy America (BABA) Act domestic sourcing requirements for Federal financial assistance programs for infrastructure, including the SRF programs. See Title IX language beginning on page 866 of [the BIL](#). For more specific information on BABA implementation, please refer to the upcoming Office of Management and Budget’s Build America, Buy America Act Implementation Guidance. EPA will issue a separate memorandum for BABA after OMB publishes its guidance.

Bipartisan Infrastructure Law: State Revolving Funds Implementation Memorandum March 2022

President Biden signed the Bipartisan Infrastructure Law (BIL) on November 15, 2021. The law's investment in the water sector is nothing short of transformational. It includes \$50 billion to the Environmental Protection Agency (EPA) to strengthen the nation's drinking water and wastewater systems—the single largest investment in clean water that the federal government has ever made. A significant portion of water infrastructure dollars will flow through the Clean Water and Drinking Water State Revolving Funds (SRFs), which represent a partnership between the Agency, states, tribes, territories, and local communities. EPA is committed to maximizing the impact of these funds in addressing urgent water challenges facing communities.

EPA's implementation memorandum provides information and guidelines on how EPA will administer the SRF capitalization grants appropriated to states under the law. The implementation memorandum is expected to be applicable to all five years of BIL appropriations.

Provide Flexibility to Meet Local Water Needs

A fundamental principle of the SRFs is the flexibility provided to states and borrowers to address a wide variety of local water quality and public health challenges. EPA continues to support and actively encourages flexibility in the implementation of SRF funding included in the BIL. With supplemental funding to the CWSRF and DWSRF—and creation of dedicated funding within the SRFs to tackle lead and emerging contaminants—states will have a great deal of flexibility in program administration.

Increase Investment in Disadvantaged Communities

A key priority of the Bipartisan Infrastructure Law is to ensure that disadvantaged communities benefit equitably from this historic investment in water infrastructure. Disadvantaged communities can include those with environmental justice concerns that often are low-income and communities of color. Disadvantaged communities experience, or are at risk of experiencing, disproportionately high exposure to pollution—whether in air, land, or water.

The Bipartisan Infrastructure Law mandates that 49 percent of funds provided through the DWSRF General Supplemental Funding and the DWSRF Lead Service Line Replacement Funding must be provided as grants and forgivable loans to disadvantaged communities. The BIL also requires that at least 25 percent of funds provided through the DWSRF Emerging Contaminants Funding be provided as grants and forgivable loans to disadvantaged communities or public water systems serving fewer than 25,000 people. For the CWSRF, the law mandates that 49 percent of funds provided through the CWSRF General Supplemental Funding must be provided as grants and forgivable loans to communities that meet the state's affordability criteria or certain project types, consistent with the Clean Water Act. To accomplish this, states may need to:

- Evaluate and revise, as needed, the DWSRF disadvantaged community definition and CWSRF affordability criteria.
- Evaluate the SRF priority point system for project ranking commensurate with need.
- Use technical assistance funding to help disadvantaged communities identify needs and access funding.
- Engage residents and community stakeholders in disadvantaged communities.

EPA will collaborate with state SRF programs to share models, examples, and build state capacity to target resources to disadvantaged communities.

Make Rapid Progress on Lead Service Line Replacement

The BIL contains a historic \$15 billion in dedicated funding through the DWSRF for lead service line (LSL) identification and replacement. This funding is being provided to states with no match requirement. EPA will collaborate with state SRF programs to share models, guidance, and build state capacity to assist local communities and ensure lead service line funding is effectively and equitably deployed. DWSRF supplemental funding and base funding can be used for LSL identification and replacement. The implementation memorandum provides examples of eligible projects. Any project funded under this appropriation must replace the entire LSL, not just a portion, unless a portion has already been replaced.

Address PFAS and Emerging Contaminants

The BIL provides \$5 billion through the SRFs to reduce people's exposure to perfluoroalkyl and polyfluoroalkyl substances (PFAS) and other emerging contaminants through their drinking water and to help address discharges through wastewater and, potentially, nonpoint sources. By law, these funds must be distributed to communities entirely as forgivable loans or grants. States are not required to provide matching funds. This demonstrates an unprecedented commitment from Congress to addressing PFAS water contamination across the nation. The implementation memorandum provides a description of emerging contaminants for the SRF programs to use in evaluating project eligibility.

Support Resilience and One Water Innovation

One of the defining features of the State Revolving Funds is the broad range of eligible projects that states can fund to flexibly support priority needs. EPA encourages states to utilize the significant increase in SRF funding for infrastructure projects that make water systems more resilient to all threats—whether it is natural disasters, climate change, or threats such as bioterrorism and cyber-attacks.

Support American Workers and Renew the Water Workforce

The Bipartisan Infrastructure Law is not only an opportunity to reinvest in America's water infrastructure, it is an opportunity to invest in the American worker. SRF projects are protected by Davis-Bacon prevailing wage requirements, consistent with federal law. BIL investments will create jobs in construction, operations and maintenance, and other family-supporting careers—at a pivotal moment when more than one-third of the water workforce will retire in the next five years. As it implements BIL, EPA is committed to working with states, tribes, and territories—as well as labor organizations, employers, and educators—to renew America's water workforce and create good-paying jobs in communities across America.

Cultivate Domestic Manufacturing

Acting in a bipartisan fashion, Congress passed the Build America Buy America (BABA) Act in 2021, concurrently with the Bipartisan Infrastructure Law. Congress established this domestic preference program to create long-term opportunities for domestic manufacturers and manufacturing jobs and build resilient domestic supply chains for a wide range of products. BABA expands existing American Iron and Steel (AIS) requirements for SRF recipients to include additional materials and manufactured goods. In the coming weeks, EPA plans to issue implementation procedures for BABA compliance for federal water infrastructure funding programs. EPA will work closely with states, tribes, and territories on technical assistance and training.

Fully Enforce Civil Rights

Under Title VI of the Civil Rights Act, EPA has a responsibility to ensure that federal funds are not being used to subsidize discrimination based on race, color, or national origin. EPA's nondiscrimination regulations prohibit recipients of EPA financial assistance from taking actions in their programs or activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin, age, disability, or sex. EPA intends to carefully evaluate the implementation of SRF funding under the BIL to ensure compliance with civil rights laws.

Refine State SRFs to Build the Pipeline of Projects

EPA encourages states to strategically use funds from the Bipartisan Infrastructure Law as a catalyst to continue building and maintaining a robust project pipeline of SRF projects. EPA recommends states use practices already exemplified in some SRF programs, such as simplifying and streamlining their application process, using set-asides and technical assistance to build capacity in small and disadvantaged systems, encouraging integrated and regional approaches, and increasing internal and external outreach about the new funding opportunities through the SRF programs.

BIL SRF Funding Details

SRF Funding Program	Total Funding	State Match	Additional Subsidy	Eligible for Additional Subsidy
Clean Water SRF Supplemental	\$11,713,000,000	10% in 2022 & 2023	49%	Assistance recipients that meet the state's affordability criteria or project types as described in section 603(i) of the CWA.
		20% in 2024 - 2026		
Drinking Water SRF Supplemental	\$11,713,000,000	10% in 2022 & 2023	49%	Disadvantaged Communities
		20% in 2024 - 2026		
Clean Water Emerging Contaminants	\$1,000,000,000	0%	100%	No restriction
Drinking Water Emerging Contaminants	\$4,000,000,000	0%	100%	25% for Disadvantaged Communities or Public Water Systems Serving Fewer Than 25,000 Persons
Drinking Water Lead	\$15,000,000,000	0%	49%	Disadvantaged Communities



Clean Water and Drinking Water State Revolving Funds and the Bipartisan Infrastructure Law

Disclaimer

EPA developed this presentation as a community-focused, high-level overview of the Clean Water and Drinking Water State Revolving Funds (SRFs) and eligibilities related to the Bipartisan Infrastructure Law (BIL) of 2021. Some content has been generalized for clarity. This is not guidance for EPA or state SRF managers or staff.

Bipartisan Infrastructure Law (BIL)

- Signed by President Biden on November 15, 2021.
- Historic investment in key programs and initiatives implemented by the U.S. Environmental Protection Agency to build safer, healthier, cleaner communities.
- Includes \$50 billion to the EPA to strengthen the nation's drinking water and wastewater systems – the single largest investment in water that the federal government has ever made.
- Approximately \$43.4B of this funding through the existing CWSRFs and DWSRFs.

BIL Implementation Key Priorities

- Provide Flexibility to Meet Local Water Needs
- Increase Investment in Disadvantaged Communities
- Make Rapid Progress on Lead Service Line Replacement
- Address PFAS and Emerging Contaminants
- Support Resilience and One Water Innovation
- Support American Workers and Renew the Water Workforce
- Cultivate Domestic Manufacturing
- Fully Enforce Civil Rights
- Refine State SRFs to Build the Pipeline of Projects

Available State Revolving Fund (SRF) Funding in the BIL

Appropriation	FY 2022 (\$)	FY 2023 (\$)	FY 2024 (\$)	FY 2025 (\$)	FY 2026 (\$)	Five Year Total (\$)
CWSRF General Supplemental	1,902,000,000	2,202,000,000	2,403,000,000	2,603,000,000	2,603,000,000	11,713,000,000
CWSRF Emerging Contaminants	100,000,000	225,000,000	225,000,000	225,000,000	225,000,000	1,000,000,000
DWSRF General Supplemental	1,902,000,000	2,202,000,000	2,403,000,000	2,603,000,000	2,603,000,000	11,713,000,000
DWSRF Emerging Contaminants	800,000,000	800,000,000	800,000,000	800,000,000	800,000,000	4,000,000,000
DWSRF Lead Service Line Replacement	3,000,000,000	3,000,000,000	3,000,000,000	3,000,000,000	3,000,000,000	15,000,000,000

BIL Implementation Memo

Cover Memo

Attachment 1 – BIL Funding Implementation

- CWSRF General Supplemental Funding
- CWSRF Emerging Contaminants Funding
- DWSRF General Supplemental Funding
- DWSRF Emerging Contaminants Funding
- DWSRF Lead Service Line Replacement Funding

Attachment 2 – CWSRF Base Program Implementation

The BIL amends the CWA to include new provisions applicable to the base CWSRF programs and unless otherwise directed, applicable to projects funded in whole or in part with funds made available by BIL.

Attachment 3 – DWSRF Base Program Implementation

The BIL amends the SDWA to include new provisions applicable to the base DWSRF programs and unless otherwise directed, applicable to projects funded in whole or in part with funds made available by BIL.

State Revolving Funds: Overview

What are the SRFs?

- The Clean Water State Revolving Fund (CWSRF) is a federal-state program that provides funding and financing to wastewater and storm water systems for a wide range of infrastructure projects.
- The Drinking Water State Revolving Fund (DWSRF) is a federal-state program that provides funding and financing to public water systems for wide range of drinking water infrastructure projects and activities.



Clean Water State Revolving Fund Overview

CWSRF Funding in the BIL: Overview

- EPA is making \$12,713,000,000 in **additional** capitalization grants available to the state CWSRFs over the next five years.
- Most of this money may fund any project eligible under the CWSRF; some funding is targeted towards projects focused on “emerging contaminants.”
- **States have the authority to waive repayment on some of this new funding** (e.g., forgive some or all of the loan’s principal or provide grants).

Clean Water for Communities	\$12.7 billion
General: Clean Water State Revolving Funds	\$11.7 billion
Addressing Emerging Contaminants: Clean Water SRFs	\$1 billion

CWSRF 2% Technical Assistance Reserve

- BIL created a new eligible use of the CWSRF.
- States may use up to 2% of this funding to nonprofit organizations or state, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (POTWs).

Who is Eligible to Use the CWSRF?

- Municipalities, intermunicipal, interstate, or state agencies.
- Nonprofit entities*
- Private, for-profit entities*
- Watershed groups*
- Community groups*
- Homeowner's associations*
- Individuals*

**Some states do not fund private systems/private entities.*

What Type of Projects Can Be Funded by the CWSRF?

- Construction of publicly owned treatment works
- Nonpoint source projects
- National estuary program projects
- Decentralized wastewater treatment systems (i.e., septic systems and tanks)
- Stormwater projects (gray and green infrastructure)
- Water conservation and efficiency
- Watershed pilot projects
- Energy efficiency projects
- Water reuse projects
- Security measures at POTWs
- Planning
- Technical assistance

For the CWSRF Emerging Contaminants Funding

These types of projects can be funded if they address emerging contaminants – defined in the memo!

CWSRF BIL Fund Eligibilities

Emerging Contaminant Funds

- Eligible: CWSRF-eligible projects that address substances and microorganisms, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment.
- Not Eligible: Projects that address contaminants with water quality criteria established by EPA under CWA section 304(a), except for PFAS.



Drinking Water State Revolving Fund Overview

DWSRF Funding in the BIL: Overview

- EPA is making \$30,713,000,000 in **additional** capitalization grants available to the state DWSRFs over the next five years.
- Some of this money may fund any project eligible under the DWSRF; some funding is targeted towards projects focused on PFAS and “emerging contaminants;” some funding is targeted towards the identification and replacement of lead service lines.
- **States have the authority to waive repayment on some of this new funding** (e.g., forgive some or all of the loan’s principal or provide grants).

Safe Drinking Water	\$30.7 billion
Lead Service Line Replacement: Drinking Water SRF	\$15 billion
General: Drinking Water SRF	\$11.7 billion
Addressing Emerging Contaminants: Drinking Water SRF	\$4 billion

Who is Eligible to Use the DWSRF?

- Public or private* community water systems
 - A system serving at least 15 service connections used by year-round residents, or regularly serves at least 25 year-round residents
- Nonprofit non-community water systems
 - Including schools, publicly-owned campgrounds, parks, churches

**Some states do not fund private systems/private entities.*

What Type of Projects Can Be Funded by the DWSRF?

- Drinking water treatment projects
- Drinking water transmission and distribution projects
- Drinking water source projects
- Storage projects
- Consolidation of water systems
- Creation of new systems
- Planning and design projects
- Technical Assistance

For the DWSRF Emerging Contaminants Funding

These types of projects can be funded if they address emerging contaminants – defined in the memo!

https://www.epa.gov/sites/default/files/2019-10/documents/dwsrf_eligibility_handbook_june_13_2017_updated_508_versioni.pdf

DWSRF BIL Fund Eligibilities

Emerging Contaminant/PFAS Funds

- Eligible: DWSRF-eligible projects for which the primary purpose is to address PFAS or contaminants on any of EPA's Contaminant Candidate Lists (CCL).
- Not Eligible: Projects for which the primary purpose is to address contaminant(s) with a [National Primary Drinking Water Regulation](#) (with PFAS exception).

DWSRF BIL Fund Eligibilities

Lead Service Line Replacement Funds

- Eligible: lead service line inventories; removal and replacement of lead service lines, galvanized service lines (currently or previously downstream of lead components), lead goosenecks, pigtails, and connectors; planning and design for those infrastructure projects.
 - Any project involving the replacement of a lead service line must replace the entire lead service line, not just a portion, unless a portion has already been replaced.

Increasing Investment in Disadvantaged Communities

- **Use of Additional Subsidy (forgiveness of principal or grants)**
 - 49% must go to disadvantaged communities/address affordability (DWSRF + CWSRF Supplemental, DWSRF Lead Service Line Funding)
 - At least 25% must go to disadvantaged communities or public water systems serving less than 25,000 people (DWSRF Emerging Contaminants)
- **Disadvantaged Community Definition and Affordability Criteria**
 - Each state is responsible for setting the definition of disadvantaged community definition and affordability criteria
 - EPA provides recommendations for revising these definitions in the memo
- **Technical Assistance funding**
 - Utilize full 2% set-aside in DWSRF and CWSRF for TA



How Can Communities Help Implement the BIL?

- Share ideas for **getting SRF funding to disadvantaged communities and environmental justice communities.**
- Provide recommendations for **what type of technical assistance is needed** to help communities prepare and apply for SRF assistance.
- Develop capital development plans to **address critical infrastructure needs.**
- Work early with your state to **get projects on the Intended Use Plan.**
- Participate in state public process for developing SRF Intended Use Plans.

How Can Non-Profit Organizations Help Implement the BIL?

- Provide **community education and outreach** to identify, prioritize and solve water issues, especially to disadvantaged communities.
- Provide **technical assistance to communities** for project planning and design.
- Assist communities in the **application process** with state SRF programs.
- Work with states to **generate robust project pipelines**.
- **Connect communities** to various funding options.
- Assist in project implementation and **community engagement**.
- **Promote SRF program** benefits.

How Do I Apply for SRF funding?

- **Develop your plans and identify needs.**
 - Develop a capital improvement plan.
 - State SRFs may provide planning and development assistance.
- **Engage with your state SRF program.**
 - Each state has a process and timeline for applications.
 - Discuss funding options (SRF base, SRF BIL, state funding, etc.) to build a plan for your community.
- **Build an ongoing relationship with the state SRF.**
 - BIL funds are over FY 2022-2026.
 - Base SRF programs are ongoing.

SRF and BIL Information

- **CWSRF:** <https://www.epa.gov/cwsrf>
 - [State CWSRF contacts](#)
- **DWSRF:** <https://www.epa.gov/dwsrf>
 - [State DWSRF contacts](#)
- **BIL:** <https://www.epa.gov/infrastructure>
- More engagements, trainings, and webinars on this important funding source will be coming soon! Please check back for more information.



Bipartisan Infrastructure Law (BIL) State Revolving Fund (SRF) Questions & Answers

#	SRF	Topic	Question	Answer	Date Q&A Added
1.1	CW	2% CWSRF TA reserve	Are the CWSRF 2% technical assistance funds subject to cash draw proportionality rules?	The 2% technical assistance funds are an eligible type of CWSRF assistance. When any funds are drawn from a CWSRF capitalization grant (including funds for this purpose), the CWSRF proportionality rules, as provided in the regulations, apply.	3/21/2022
1.2	CW	2% CWSRF TA reserve	Must CWSRF technical assistance result in a future CWSRF-funded project?	No. Technical assistance provided through the CWSRF does not need to result in a future CWSRF-funded project, but must meet the requirements of section 603(k) of the Clean Water Act.	3/21/2022
2.1	Both	Additional Subsidization	Do the additional subsidy mandates made permanent in the BIL (12% floor for the DWSRF and 10% for the CWSRF) apply to supplemental appropriations in the BIL?	No. BIL provides specific percentages of required additional subsidization under each BIL supplemental funding pot. For the CWSRF General, DWSRF General, and DWSRF LSLR pots, Congress specifically overrode (via the "notwithstanding" language) the statutory percentages contained in CWA section 603(i)(3)(B) and SDWA section 1452(d)(2) to require different percentages of additional subsidy from those three appropriations. This directs states to use the percentages of additional subsidy in BIL for those CWA 603(i) and SDWA 1452(d) purposes, instead of the percentages in the underlying laws.	3/21/2022
2.2	Both	Additional Subsidization	What is the time frame for meeting the BIL additional subsidy requirement?	States must make commitments (i.e., they must sign assistance agreements, such as loans or grants, with eligible recipients), including additional subsidization funds, within one year after the receipt of each capitalization grant payment from EPA. The additional subsidy requirement for a given year's appropriation is considered to be met when the amount of subsidy funds specified in the appropriation have been disbursed. If the required amount of subsidy is not disbursed once construction is completed on all projects, the state must allocate the remaining subsidy to another eligible project.	3/21/2022
2.3	DW	Additional Subsidization	Can the DWSRF set-asides for the BIL DWSRF General and LSLR funds be taken out of the 49% additional subsidy portion (rather than the repayable portion?)	States must use 49% of the capitalization grant award as additional subsidy under the BIL DWSRF General and LSLR pots. States may use up to approximately 31% of those capitalization grant awards for set-asides. If states take the full set-asides, that leaves approximately 20% of funds for the states to use as repayable financing. Both percentages are based upon the capitalization grant award amount received by the state.	3/21/2022
2.4	Both	Additional Subsidization	Can a state apply for only the 49% additional subsidy dollars without taking the 51% loan funds?	No, the BIL statute does not allow this. The additional subsidy percentage is based upon the capitalization grant amount received by the state.	3/21/2022
2.5	Both	Additional Subsidization	Is the BIL CWSRF General, BIL DWSRF General, and BIL DWSRF LSLR additional subsidy requirement (49%) an exact amount, or a floor or ceiling?	The BIL requires states to provide an exact amount of additional subsidy. States must give exactly 49% of the capitalization grant award to eligible entities as principal forgiveness or grants (or any combination of these). However, states may take DWSRF set-asides from the remaining 51% of funds, and some of these DWSRF set-aside funds may be used for LSL inventories and LSL-related technical assistance.	3/21/2022
3.1	CW	Allotments	Will the state CWSRF allocations change following results of the Clean Watersheds Needs Survey (CWNS)?	No. The CWSRF state allocations are strictly defined by the Clean Water Act (CWA) and barring a statutory change by Congress, EPA cannot update the CWA allotment formula to reflect the results of the latest Clean Watersheds Needs Survey.	3/21/2022
4.1	Both	Cash Draws	May a state SRF provide advance payments to a SRF assistance recipient (e.g., a water or wastewater system)?	No. Per regulation at 40 CFR §35.3155(d)(2) and 40 CFR §35.3565(a)(1), SRF assistance recipients (an eligible recipient such as a water or wastewater system) must first incur a cost associated with an executed assistance agreement for the state SRF to have the authority to draw capitalization grant funds from the Treasury and disburse those funds to the assistance recipient. The assistance recipient need not have paid for the cost with their own funds first; instead, the assistance recipient can immediately forward the (unpaid) invoice to the state SRF for prompt review and disbursement of funds. Therefore, there is no need for SRF assistance recipients to pay for the invoices with their own funds first.	3/21/2022
5.1	DW	DWSRF Set-asides	What happens to the reserved set-aside authority after the end of new BIL appropriations and when all BIL funds are expended?	To use reserved BIL set-aside authority in future years, states may use funds from both BIL and base DWSRF capitalization grants. In other words, the use of reserved BIL set-aside fund authority is not limited to actual BIL funds. For example, a state DWSRF may reserve set-asides authority under the FY 2022 BIL DWSRF LSLR capitalization grant and make use of that reserved authority under the FY 2024 BIL DWSRF LSLR capitalization grant, or out of the FY 2024 base capitalization grant (for BIL DWSRF LSLR set-asides eligible activities).	3/21/2022
6.1	DW	Eligibilities	Is bottled or trucked-in water an eligible DWSRF expense, from either the revolving loan fund or the set-asides?	No. The purchase of bottled or trucked-in water is not an eligible use of funds under the DWSRF. By law (SDWA 1452(a)(2)(B)), DWSRF funds can only be used to "facilitate compliance with national primary drinking water regulations (NPDWRs) applicable to the system." EPA regulations at 40 CFR 35.3520(b) describe the types of projects eligible for DWSRF funding, and all involve infrastructure. Bottled or trucked-in water is not a capital investment nor does it help drinking water systems achieve or maintain SDWA compliance, the central purpose of the DWSRF. Given that bottled or trucked-in water does not help build the technical, managerial, nor financial capacity of water systems, it is also not an eligible expense under the DWSRF set-asides.	3/21/2022
6.2	DW	Eligibilities	Are owners of private wells and capital work at private wells (e.g., repair or installation of a private well) eligible for DWSRF assistance?	State DWSRFs may fund limited infrastructure (from the revolving loan fund) that may be necessary for trucked-in water (i.e., storage, piping or tap stands) during a "do not drink" order or other emergency situation, as long as the public water system will own that infrastructure and takes out the assistance agreement with the state DWSRF for the infrastructure.	3/21/2022
6.3	DW	Eligibilities	Is water sampling an eligible DWSRF expense?	No. This is not an eligible use of funds under the DWSRF. By law (SDWA 1452(a)(2)(B)), DWSRF funds can only go to public water systems, and public water systems can only use DWSRF funds to "facilitate compliance with national primary drinking water regulations (NPDWRs) applicable to the system." Work on a private well – which is by definition not part of a public water system – does not help a public water system meet the NPDWRs standards. Private wells are not connected to public water systems, nor are private well owner customers of public water systems. Further, private wells are not regulated under the SDWA and are thus not subject to the NPDWRs.	3/21/2022
6.4	DW	Eligibilities	Is sampling at a private well an eligible DWSRF expense?	However, public water systems may get DWSRF financing to extend service to those who were previously on private wells. DWSRF assistance is also available to create new public water systems (i.e., a new public water system composed of customers who were previously on private wells).	3/21/2022
6.5	DW	Eligibilities	Can states use the BIL DWSRF Emerging Contaminant pot for projects for which the primary purpose is to address a contaminant with an established national primary drinking water regulation (NPDWR) maximum contaminant level (MCL) in situations where the state has a more strict (i.e., lower) MCL?	Sometimes. States may use the DWSRF set-asides to conduct special (non-routine) monitoring to establish a baseline understanding of a contaminant of concern (e.g., PFAS). Note that routine compliance monitoring and operations and maintenance expenses are statutorily prohibited (see SDWA 1452(a)(2)). Sometimes. States cannot provide funds to private well owners for sampling. However, states may offer public water systems funding under the DWSRF set-asides for non-routine, not-compliance-related sampling at private wells to determine potential sources of contamination of the public water system's source water. The public water system may share the sampling results with the private well owners. Note that routine compliance monitoring and operations and maintenance expenses are statutorily prohibited (see SDWA 1452(a)(2)). No. For a project or activity to be eligible for funding under the BIL DWSRF Emerging Contaminant appropriation, it must be otherwise DWSRF eligible, and the primary purpose must be to address emerging contaminants in drinking water with a focus on perfluoroalkyl and polyfluoroalkyl substances (PFAS). Projects that address any contaminant listed on any of EPA's Contaminant Candidate Lists are eligible (i.e., CCL1 – draft CCL5).	3/21/2022
				States may use the BIL DWSRF General or DWSRF base program funding for projects that address regulated contaminants where the state has set a more strict MCL.	3/21/2022

Bipartisan Infrastructure Law (BIL) State Revolving Fund (SRF) Questions & Answers

#	SRF	Topic	Question	Answer	Date Q&A Added
				<p>No, replacement of premise plumbing is not eligible for BIL or base DWSRF funding. SDWA 1452(a)(2)(B) says, "Financial assistance under this section may be used by a public water system only for expenditures (including expenditures for planning, design, siting, and associated preconstruction activities, or for replacing or rehabilitating aging treatment, storage, or distribution facilities of public water systems, but not including monitoring, operation, and maintenance expenditures) of a type or category which the Administrator has determined, through guidance, will facilitate compliance with national primary drinking water regulations applicable to the system under section 300g-1 of this title or otherwise significantly further the health protection objectives of this subchapter."</p> <p>Premise plumbing is not part of a public water system. It is not owned, maintained, or controlled by the public water system. Therefore, the DWSRF generally cannot fund anything beyond the service line.</p> <p>However, there are instances in which schools themselves are public water systems. In cases where schools themselves are public water systems, the school owns all of its premise plumbing and that plumbing is part of its system. In those cases, replacement of that plumbing is DWSRF-eligible.</p>	3/21/2022
6.6	DW	Eligibilities	Is premise plumbing eligible for BIL DWSRF funding?		
				<p>Pipe replacement projects involving A/C pipe are subject to the requirements of the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61, subpart M. The Asbestos NESHAP is a collection of work practice standards intended to minimize the release of asbestos fibers during activities involving the handling of asbestos. In order to be eligible under the SRF programs and in compliance with federal crosscutters, an A/C pipe replacement project must comply with the Asbestos NESHAP. Neither pipe breaking nor pipe bursting activities comply with the Asbestos NESHAP.</p> <p>There are currently only three options for replacing A/C pipe that comply with the Asbestos NESHAP: open trenching, abandonment in place, and close tolerance pipe slurification (CTPS). Open trenching involves excavating the entire A/C pipe, wet-cutting the pipe into sections using a snap cutter or similar tool, wrapping the pipe for containment, and removing the pipe for disposal. In lieu of open trenching, A/C pipe may be abandoned in place, with the new pipeline laid in a separate area without acting upon the existing A/C pipe. In addition, in 2019, EPA approved CTPS as an alternative work practice. The CTPS alternative work practice is a form of trenchless technology that provides an alternative to open trench for A/C pipe replacement that meets the requirements of the Asbestos NESHAP. Unlike pipe bursting and pipe breaking, CTPS does not leave friable asbestos (defined in the Asbestos NESHAP) in the ground. EPA has not approved an alternative work practice for other trenchless technologies such as pipe bursting, pipe breaking, or other similar methods.</p> <p>Forces such as those required for pipe bursting or pipe breaking of A/C pipe create friable asbestos. Leaving friable asbestos in the ground does not comply with the requirements of the Asbestos NESHAP. For general information about the Asbestos NESHAP, visit: https://www.epa.gov/asbestos/overview-asbestos-national-emission-standards-hazardous-air-pollutants-neshap. For information about CTPS, visit https://www.epa.gov/stationary-sources-air-pollution/notice-final-approval-alternative-work-practice-standard-asbestos.</p>	3/21/2022
6.7	Both	Eligibilities	Can asbestos cement (A/C) pipe be replaced via pipe bursting or pipe breaking?		3/21/2022
				<p>Must there be evidence that emerging contaminants exist in the water to receive the funds from the BIL CWSRF or DWSRF emerging contaminants pot? For example, if a water or wastewater system wants to add PFAS treatment as a preventative measure, is this eligible?</p> <p>Preventative-focused projects are eligible under these BIL funding pots. However, these projects should rank lower on Project Priority Lists than those projects addressing present contamination.</p>	3/21/2022
6.8	Both	Eligibilities			
				<p>If a state has a project that is large enough to meet the base and BIL appropriations, can states use it as equivalency for both appropriations?</p> <p>BIL supplemental appropriations are federal funds and therefore all equivalency requirements apply to projects funded by each BIL capitalization grant. Projects funded through the base SRF programs cannot be used to meet the equivalency requirements of the BIL capitalization grants. However, if an assistance agreement is made with both BIL funds and base program funds, the project may be used to meet the equivalency requirements for both the BIL and base capitalization grants provided that the amount counted towards each equivalency requirement is proportional to the amount BIL and base amounts in the SRF assistance agreement.</p>	3/21/2022
7.1	Both	Equivalency			
				<p>Will BIL capitalization grants have the same Catalog of Federal Domestic Assistance (CFDA) number, now referred to as "Assistance Listing," as the base CWSRF and DWSRF capitalization grants?</p> <p>Yes.</p>	3/21/2022
8.1	Both	Grants Management			
				<p>When states submit capitalization grant applications to EPA, may states use the same Attorney General certification for each application (i.e., is only one state Attorney General certification is required per year)?</p> <p>Yes. Only one Attorney General certification is required per year.</p>	3/21/2022
8.2	Both	Grants Management			
				<p>If a state has spent more in state match for base grants than required, can that excess amount(s) be applied to the match requirement for the BIL supplemental capitalization grants?</p> <p>Yes. If the state provides a match in excess of the required amount, the excess balance may be banked toward subsequent match requirements, including BIL capitalization grants. See 40 CFR 35.3135(a)(4) and 40 CFR 35.3550(g)(5).</p>	3/21/2022
8.3	Both	Grants Management			
				<p>No, states must apply for and EPA must award separate grants for each BIL appropriation and base appropriation. Congress appropriated 5 separate SRF capitalization grants per year via BIL that each have specific purposes. Separate applications and grants are consistent with grants regulations and reporting requirements and needs. Further, the federal government's grants management system does not allow multiple grant awards to be made from one application.</p> <p>To reduce administrative burden, states may use many of the same supporting materials within each application, or incorporate them by reference. For example, states may combine base and/or BIL pot(s) of funding into a single IUP and PPL, or split into separate documents.</p>	3/21/2022
8.4	Both	Grants Management			
				<p>Can the Water Infrastructure Investments for the Nation (WIIN) Small, Underserved, and Disadvantaged Community (SUDC) grant be deposited into a state's DWSRF?</p> <p>No. EPA does not have the authority to combine funds from the DWSRF and the WIIN SUDC programs.</p>	3/21/2022
8.5	DW	Grants Management			
				<p>Is there a limit to the amount of BIL DWSRF LSLR supplemental funds that can be used by states to fund LSL inventories?</p> <p>No. There is no statutory minimum or maximum, but EPA expects IUPs to reflect appropriate statutory priorities.</p>	3/21/2022
9.1	DW	LSLR			
				<p>Are service lines of any material (e.g., copper) eligible for BIL DWSRF funding or must they be made of lead to be eligible for BIL funding?</p> <p>To be eligible for replacement under the BIL DWSRF LSLR pot, service lines must be made of lead or galvanized pipe. To be eligible under the BIL DWSRF General or the DWSRF base program funding, service lines may be made of any material.</p>	3/21/2022
9.2	DW	LSLR			
				<p>If a state has constitutional, statutory, and/or regulatory prohibitions on the use of public money on private property (i.e., prohibitions against using public water system user revenue to replace the privately-owned portion of a LSL), how can states use the BIL DWSRF LSLR funds?</p> <p>In this scenario, states may still be able to use the BIL DWSRF LSLR pot for LSL inventories while working towards eliminating those barriers to LSLR. EPA strongly encourages states to reassess and if needed, eliminate state-imposed barriers to addressing the public health threat of lead in drinking water.</p>	3/21/2022
9.3	DW	LSLR			

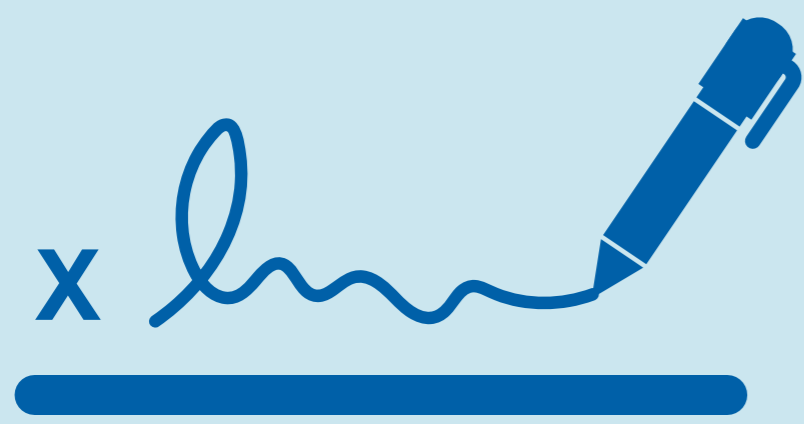
Bipartisan Infrastructure Law (BIL) State Revolving Fund (SRF) Questions & Answers

#	SRF	Topic	Question	Answer	Date Q&A Added
10.1	DW	Small Systems	Does the SDWA 1452(a)(2)(F) 15% small system provision apply to the BIL funds?	SDWA 1452(a)(2)(F) requires that at least 15% of the amount credited to the Fund in any fiscal year be made available for assistance to small systems serving under 10,000 persons, to the extent funds can be obligated for eligible projects. Therefore, the percentage is based on all monies that a state expects to be available for loans as described in a state's IUP. This includes the capitalization grant, state match, bond proceeds, repayments, and interest earnings. In other words, the calculation is based on all monies the state plans to make available for assistance agreements as described in a state's IUP sources and uses table. The total "sources" dollar amount should be used for the calculation's denominator. For example, if a state projects \$50M in available "sources," the state should plan to fund at least \$7.5M of small system projects.	3/21/2022

THE BIPARTISAN INFRASTRUCTURE LAW

A Historic Investment in Water

On November 15, 2021,
President Biden signed the
Bipartisan Infrastructure Law



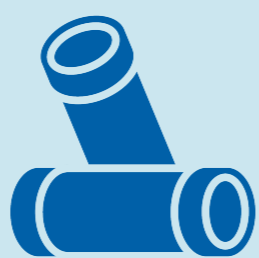
The Bipartisan Infrastructure
Law provides more than
\$50 billion to the US EPA for
water infrastructure
investments

- 💧 \$35 billion for Safe Drinking Water
- 💧 \$12 billion for Clean Water
- 💧 \$1.8 billion for Regional Waters
- 💧 \$135 million for Additional Water Investments

\$35 BILLION FOR SAFE DRINKING WATER

\$11.7 billion through the
Drinking Water
State Revolving Fund
(DWSRF) for various
drinking water
infrastructure projects

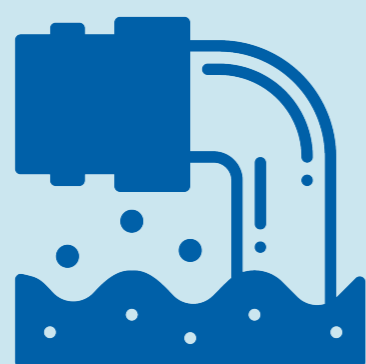
\$15 billion through
the DWSRF for
lead service line
identification and
replacement




\$4 billion through the
DWSRF for
emerging contaminants,
including PFAS

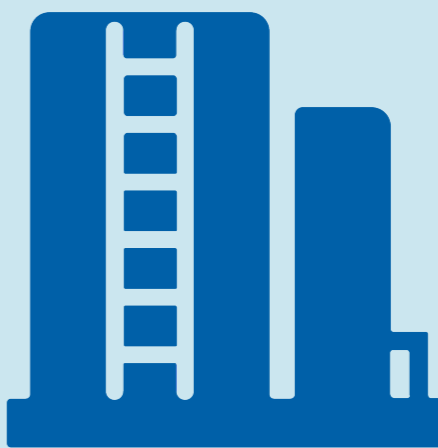
\$5 billion for the
Small and Disadvantaged
Emerging Contaminant
Grant to address
emerging contaminants

\$12 BILLION FOR CLEAN WATER

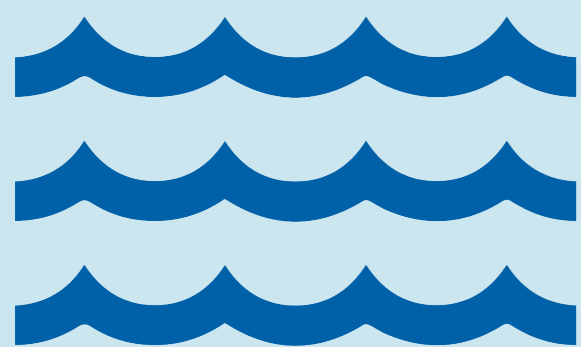


\$11.7 billion through the Clean Water
State Revolving Fund (CWSRF) for wastewater,
storm water, and nonpoint source
infrastructure projects

\$1 billion through the CWSRF
for emerging contaminants

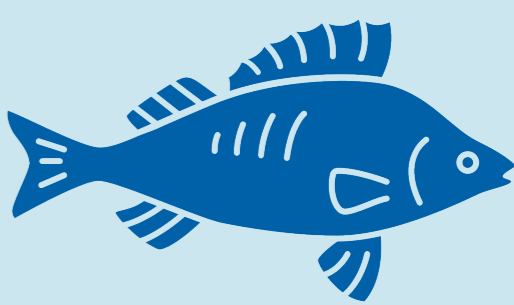


\$1.8 BILLION FOR REGIONAL WATERS



\$1.7 billion for 12 federally
recognized geographic
programs

\$132 million for the
National Estuary Program to
restore vulnerable coastal
areas and communities



\$135 MILLION FOR ADDITIONAL WATER INVESTMENTS



\$60 million for the Gulf of
Mexico Hypoxia Task Force

\$50 million for Underground
Injection Control Grants

\$25 million for carbon
sequestration programs



With Bipartisan Infrastructure Law
funding, US EPA, states, Tribes, and
localities have a once-in-a-lifetime
opportunity to strengthen and
rebuild America's water infrastructure



This funding provides a historic
investment to replace pipes, upgrade
water facilities, and ensure that
America's water systems are resilient for
the future