# Clean Water Land & Legacy Amendment | South Washington Watershed District

# 

# FY 2026 Guidance and Application

### Point Source Implementation Grant Program (PSIG)

July 1, 2025

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Contents

[About this document 1](#_Toc202271090)

[Program Information 1](#_Toc202271091)

[Application Deadline 1](#_Toc202271092)

[Eligible Projects 1](#_Toc202271093)

[Eligible Costs 2](#_Toc202271094)

[PSIG Funding Caps 2](#_Toc202271095)

[Grant Process 2](#_Toc202271096)

[Program Requirements 2](#_Toc202271097)

[Coordination with Loan Funds 4](#_Toc202271098)

[Submitting Plans and Specifications 4](#_Toc202271099)

[Physical Project Signs 5](#_Toc202271100)

[PSIG Terms and Conditions 5](#_Toc202271101)

[Agency contact information 5](#_Toc202271102)

[PSIG PROGRAM APPLICATION OVERVIEW 6](#_Toc202271103)

[FORM 1: PSIG APPLICATION CHECKLIST 7](#_Toc202271104)

[FORM 2: APPLICANT CONTACT INFORMATION 8](#_Toc202271105)

[FORM 3: PROJECT INFORMATION 10](#_Toc202271106)

[FORM 4: PSIG PROJECT COSTS AND SOURCES OF FUNDING 13](#_Toc202271107)

[FORM 6: Tax Compliance Certification Checklist 14](#_Toc202271108)

[CERTIFICATION #1: Compliance with Laws, Rules and Regulations 15](#_Toc202271109)

[CERTIFICATION #2: Minority and Women-Owned Business Enterprise (M/WBE) and Smaller Markets and Rural Areas (SMRA) 17](#_Toc202271110)

[CERTIFICATION #3: Compliance, No Conviction of Felony Financial Crime by a Principal 18](#_Toc202271111)

[APPENDIX A: Sample - Grant Applicant Resolution 19](#_Toc202271112)

[APPENDIX B: State of Minnesota Prevailing Wages 20](#_Toc202271113)

[APPENDIX C: Clean Water Legacy Funded Project Signage 21](#_Toc202271114)

[APPENDIX D: Real Property Declaration and Waiver Requirements 22](#_Toc202271115)

[Example of Letter Requesting a Waiver 23](#_Toc202271116)

[Example of MMB Waiver Certification 25](#_Toc202271117)

## About this document

This document provides guidance and application materials for the Point Source Implementation Grant (PSIG) program for the fiscal year ending June 30, 2026. The application includes 4 forms with fillable text boxes, 3 certifications, and 4 appendices containing sample documents, required language regarding prevailing wages, and signage requirements. Provided templates model required information that may be presented on the applicant’s letterhead and following local processes.

## Program Information

PSIG is established in [Minnesota Statutes, Section 446A.073](https://www.revisor.mn.gov/statutes/2010/cite/446A.073) and is jointly administered by the Minnesota Public Facilities Authority (MPFA), the Minnesota Pollution Control Agency (MPCA) and the Minnesota Department of Health (MDH). Eligible applicants are municipalities on the current MPCA Project Priority List (PPL).

## Application Deadline

PSIG applications are due by July 31, 2025.

An application is complete when all information and materials listed in the Application Checklist are submitted to and reviewed/approved by assigned [MPFA loan officers](https://mn.gov/deed/pfa/contact/). Direct questions and email completed applications to assigned loan officers by July 31, 2025.

Applicants applying in prior funding cycles that did not receive MPCA certification by June 30, 2025 must submit updated applications.

## Eligible Projects

PSIG eligible projects must be ready for construction by June 30, 2026.

PSIG provides 80% grants up to a maximum of $12 million to governmental units to assist with the cost of water infrastructure project components made necessary by:

1. Wasteload reductions prescribed under an approved total maximum daily load (TMDL) plan;
2. A phosphorus concentration or mass limit that requires discharging one milligram per liter or less at permitted design flow which is incorporated into a permit issued by the MPCA;
3. Any other water quality-based effluent limit established under Minnesota Statute Section 115.03, Subd 1, (e)(8), that is incorporated into a permit issued by MPCA that exceeds secondary treatment limits; or
4. A total nitrogen concentration or mass limit that requires discharging ten milligrams per liter or less at permitted design flow.

## Eligible Costs

PSIG eligible project costs include only those costs related to water infrastructure project components made necessary by one of the four criteria listed above.

## PSIG Funding Caps

Wastewater projects to improve water quality by addressing a new, more stringent permit limit may receive a PSIG grant for 80% of eligible costs up to a maximum grant of $12 million. If a governmental unit is later required by their permit to further reduce discharge of the same pollutant, the recipient may be eligible for another maximum grant of $12 million.

Stormwater projects are subject to waste load reductions that are based on an approved TMDL and may receive a PSIG grant for 80% of eligible costs up to a maximum grant of $12 million per TMDL.

## Grant Process

MPFA awards PSIG grant funds based on a project’s ranking on the MPCA PPL and its readiness to proceed based on MPCA certification and acceptance of bids. If a PSIG project is part of a drinking water treatment project, then that project must be ranked on the MDH Drinking Water Revolving Fund PPL and applicants must submit plans and specifications to MDH for certification by an MDH engineer.

If PSIG grant funds are available when a project is certified by MPCA, the MPFA will reserve funds based on the project priority ranking and the estimated cost at the time of certification or the as-bid cost, whichever is less.

### Program Requirements

Qualifying projects meet these requirements:

* The project must be ranked on the MPCA’s PPL.
* The applicant must submit a complete PSIG grant application to the MPFA.
* The MPCA engineer must review the application to determine eligibility and estimated costs.
* The applicant must submit project plans and specifications to the MPCA.
* The MPCA must approve the plans and specifications, PSIG eligible costs and certify the project to the MPFA.
* The applicant must bid the project and submit as-bid costs to the MPFA.
* The applicant must show that all other necessary project funding is secured.

Other requirements of note are:

* MPFA loan officers conduct a pre-award risk assessment for all applications. All applicants must complete Certification #3.
* Recipients must follow [Minnesota Statutes, Section 471.345, Uniform Municipal Contracting Law](https://www.revisor.mn.gov/statutes/cite/471.345) and other requirements (bidding, special requirements for out-of-state contractors, workers compensation, responsible contractor, equal pay and workforce certifications, etc., as applicable) in the construction of the project.
* State prevailing wage rates apply to the project (available from the Minnesota Department of Labor and Industry (DOLI), Labor Standards Division 651/284-5091 ([Prevailing-wage information | Minnesota Department of Labor and Industry (mn.gov)](https://www.dli.mn.gov/business/employment-practices/prevailing-wage-information)). The DOLI contract conditions included in **Appendix A** of this Application along with the actual MN prevailing wages must be included in all bidding documents and construction contracts for projects that receive PSIG funding.
* The PSIG program is subject to the requirements of [Minnesota Statutes, Section 16A.695](https://www.revisor.mn.gov/statutes/?id=16A.695) and the recipient will need to file a Real Property Declaration and/or request a waiver from the filing requirements. See **Appendix C** for additional information.
* PSIG projects with contracts more than $100,000 are subject to [Minnesota Statutes, Section 16C.16](https://www.revisor.mn.gov/statutes/cite/16C.16) subdivision 13 (State Funded Contracts) which promotes the use of targeted businesses and removing barriers. Use the Department of Administration’s targeted business directory [Equity in Procurement (TG/ED/VO) Directory](https://mn.gov/admin/osp/government/procuregoodsandgeneralservices/tgedvo-directory/) to notify prospective contractors is a way to promote the use of targeted businesses and notify them of procurement and contracting opportunities.
* PSIG recipients must comply with [Minnesota Statutes, Section 16C.285, subd 3 (6)](https://www.revisor.mn.gov/statutes/cite/16C.285), responsible contractor requirement defined and verify that contractors are not currently suspended by the federal government or the state of Minnesota or any of its departments, commissions, agencies, or political subdivisions that have authority to debar a contractor. [Suspended/Debarred Vendors](https://mn.gov/admin/osp/government/suspended-debarred/index2.jsp) also see [SAM.gov | Home](https://sam.gov/content/home).
* If the PSIG-funded project is on property that is leased or on a non-perpetual easement, complete the Minnesota Management and Budget [Checklist for Ground Leases and Easements](https://mn.gov/mmb/assets/Checklist-for-Ground-Leases-and-Easements_tcm1059-126878.pdf) and submit to MPFA.
* Form 4 requests information on prior incurred costs, based on invoices, for which applicants expect to request reimbursement through the PSIG grant. The MPFA may limit PSIG reimbursement for costs incurred before grant award when available PSIG funding is limited. MPFA will require an updated Form 4 prior to grant award. Contact your loan officer for more information.
* PSIG funds are disbursed monthly on a reimbursement basis for eligible incurred costs supported by invoices.
* PSIG recipients are charged an application fee equal to one-half of one percent of the grant amount. Fees are due to the MPFA at the time of execution of the grant agreement. The fee is not an eligible PSIG cost.

### Coordination with Loan Funds

PSIG applicants seeking a loan though the Clean Water or Drinking Water State Revolving Fund must follow the CWSRF/DWSRF application processes, including being listed on MPFA’s Intended Use Plans (IUPs) within fundable range. A separate [CWSRF/DWSRF loan application](http://www.deed.state.mn.us/Community/assistance/pfa.htm) must be submitted by the deadline stated in the IUPs.

### Submitting Plans and Specifications

Applicants are strongly encouraged to submit plans and specifications, to the MPCA for sanitary sewer, storm sewer and drinking water projects or to the MDH for drinking water projects, by **March 31, 2026** to allow adequate review time and timely project certification.

#### Getting Projects Certified

These items are required for project certification by the MPCA and MDH:

* Project plans and specifications with identification of PSIG eligible and non-eligible costs for storm, sanitary sewer and drinking water projects.
* As-bid cost documentation or engineer estimate of the Schedule of Costs.

#### Estimating Construction Costs

Estimated project costs should include a general description of how the water infrastructure project costs are made necessary by:

* an established TMDL wasteload allocation or permit limit;
* a phosphorus concentration or mass limit;
* other water quality-based effluent limit, or
* a total nitrogen concentration or mass limit that requires discharging 10 mg/L or less at permitted design flow.

See [MPCA Guidance on Wastewater and Water Treatment Component Eligibility (state.mn.us)](https://www.pca.state.mn.us/sites/default/files/wq-wwtp2-66.pdf). Refer questions to your MPCA or MDH Engineer.

Build this information from Form 4 in the application and attach as Form 5. Show your work in a line-item spreadsheet identifying estimated costs of project components necessary to treat PSIG-eligible pollutant(s). For each applicable line item in the spreadsheet, indicate the percentage of that line item's costs necessary for treatment of the PSIG pollutant. Include calculations for how the percentage of the line item costs necessary to treat for the PSIG pollutant were determined. Note: Do not include non-construction costs in this breakdown. MPFA reviews and determines non-construction costs eligibility at the time of the grant award.

### Physical Project Signs

|  |  |
| --- | --- |
|  | Point Source Implementation Grant: Projects funded with state Clean Water Funds must comply with funding identification requirements of the Clean Water Council. This applies to CWRF/DWRF projects funded with Point Source Implementation Grant (PSIG). Refer to the project sign requirements in the PSIG application materials. See Appendix B for a sample sign layout and a link to more information. |

The MPFA requires posting of funding awards by all recipients. Most MPFA recipients post the MPFA-provided notice on the City’s website or in a public area of their local unit of government offices.

### PSIG Terms and Conditions

The MPFA will not process a funding application until all required materials are submitted. Those are noted on the following pages.

Prior to grant disbursement submit:

* Payment of application fee (one-half of one percent of grant amount). The application fee must be paid prior to execution of the Grant Agreement.
* Disbursement Request Forms and supporting documentation for eligible expenses.

MPFA requires these items after award:

* Real Property Declaration and/or Waiver from Real Property Declaration filing requirements (see Appendix C)
* Photograph of Clean Water Legacy Sign posting emailed to the assigned [MPFA Loan Officer](https://mn.gov/deed/pfa/contact/).

## Agency contact information

***Minnesota Public Facilities Authority Loan Officers***:

The map of MPFA regions and loan officer contact information is available [here.](https://mn.gov/deed/pfa/contact/)

***Minnesota Pollution Control Agency:***

Contact the review engineer for your project or [Pam Foster](mailto:pamela.foster@state.mn.us) at the MPCA at 218.302.6619. See the MPCA web site at [www.pca.state.mn.us/PPL](http://www.pca.state.mn.us/PPL) for additional information.

***Minnesota Department of Health:***

Contact [Todd Johnson](mailto:todd.johnson@state.mn.us), P.E. at 218.308.2110.

## PSIG PROGRAM APPLICATION OVERVIEW

**The PSIG application includes five MPFA forms and one applicant-generated form:**

Form 1 – PSIG Checklist

Form 2 – Project Contacts

Form 3 – Project Information

Form 4 – Project Financial Data (embedded Excel)

Form 5 – Applicant-generated spreadsheet: PSIG Project Costs and Sources of Funding

Form 6 – Tax Compliance Certification Checklist

**The PSIG application requires three completed certifications:**

Certification #1: Compliance with Laws, Rules and Regulations

Certification #2: Minority and Women-Owned Business Enterprise (M/WBE) and Smaller Markets and Rural Areas (SMRA) (submit if project includes SRF funding)

Certification#3: Pre-award Risk Assessment Checklist and Certification

**To be considered a complete application, MPFA requires:**

* Resolution authorizing submission of PSIG grant application.
* Resolution from applicant verifying full project funding secured from local funds and other secured funding sources to demonstrate that full project funding is in place.
* Resolution or ordinance verifying adoption and enacted schedule of user rates (as applicable to projects with SRF applications.
* Enacted intergovernmental agreement when more than one local government is involved in the project.
* Management contract when the applicant has engaged a private contract operator to manage its wastewater, drinking water or stormwater system. Note: the tax compliance checklist submitted with this application requests attorney or bond counsel review of use agreements for conformance with IRS tax-exempt rules and regulations.
* As-bid costs and bid tabulations.
* Estimated construction cost breakdown (applicant generated excel spreadsheet).
* Completed Minnesota Management and Budget [Checklist for Ground Leases and Easements](https://mn.gov/mmb/assets/Checklist-for-Ground-Leases-and-Easements_tcm1059-126878.pdf) for non-permanent easements or if the PSIG-funded project is located on leased land.

A PSIG application is considered complete when all required materials are submitted and reviewed and approved by the MPFA loan officer.

The loan officer may ask for additional documents or information.

### FORM 1: PSIG APPLICATION CHECKLIST

* Form 1: PSIG Checklist (this document)
* Form 2: Project Contacts
* Form 3: Project Information
* Form 4: PSIG Project Costs and Sources of Funding (embedded Excel)
* Form 5: Applicant-generated spreadsheet: Estimated Construction Cost Breakdown
* Form 6: Tax Compliance Certification Checklist
* Certification #1: Compliance with Laws, Rules and Regulations.
* Certification #2: Minority and Women-Owned Business Enterprise (M/WBE) and Smaller Markets and Rural Areas (SMRA). Submit if project includes SRF funding.
* Certification #3: No Conviction of Felony Financial Crime by a Principal
* Resolution authorizing submission of PSIG grant application
* Resolution verifying commitment of local funds and full project funding is secured.
* Documentation of other secured project funding
* Resolution or ordinance verifying adoption and enacted schedule of user rates
* As-bid costs and bid tabulations

When applicable:

* Enacted intergovernmental agreement when more than one local government is involved in the project.
* Management contract when the applicant has engaged a private contract operator to manage its wastewater, drinking water or stormwater system. *Note*: the tax compliance checklist submitted with this application requests attorney or bond counsel review of use agreements for conformance with IRS tax-exempt rules and regulations.
* Completed Minnesota Management and Budget [Checklist for Ground Leases and Easements](https://mn.gov/mmb/assets/Checklist-for-Ground-Leases-and-Easements_tcm1059-126878.pdf) for non-permanent easements or if the PSIG-funded project is located on leased land.

### FORM 2: APPLICANT CONTACT INFORMATION

**Applicant Information**

Applicant Name Click or tap here to enter text.

County Click or tap here to enter text.

UEI Number Click or tap here to enter text.

MN SWIFT Vendor ID Number (10 digits) Click or tap here to enter text.

MN SWIFT Vendor Suffix Number (3 digits) Click or tap here to enter text.

Contact Person Click or tap here to enter text. Telephone Click or tap here to enter text.

Contact Person Title Click or tap here to enter text. E-mail Click or tap here to enter text.

Address Click or tap here to enter text.

Click or tap here to enter text.

Authorized Agreement Signers

Authorized Signer #1 Name Click or tap here to enter text.

#1 Title Click or tap here to enter text.

Authorized Signer #1 Email Click or tap here to enter text.

Authorized Signer #2 Name Click or tap here to enter text.

#2 Title Click or tap here to enter text.

Authorized Signer #2 Email Click or tap here to enter text.

If a Public Utilities Commission be responsible for operation & maintenance of the project provide information below.

PUC Contact Person Click or tap here to enter text. Telephone Click or tap here to enter text.

Title Click or tap here to enter text. E-mail Click or tap here to enter text.

Address Click or tap here to enter text.

Click or tap here to enter text.

**Consultants and Advisors**

Consulting Engineer Name Click or tap here to enter text.

Engineering Firm Click or tap here to enter text.

Telephone Click or tap here to enter text.

E-mail Click or tap here to enter text.

**Person responsible for Minnesota prevailing wage compliance monitoring**

Name Click or tap here to enter text. Telephone Click or tap here to enter text.

Firm Click or tap here to enter text. E-mail Click or tap here to enter text.

**MPCA Review Engineer**

Name Click or tap here to enter text. Telephone Click or tap here to enter text.

E-mail Click or tap here to enter text.

### FORM 3: PROJECT INFORMATION

Project Name as stated on the PPL: Click or tap here to enter text.

Is the project listed on the 2025 PPL? ☐ Yes ☐No

MPCA Project Number: Click or tap here to enter text.

If not, has applicant submitted a 2026 PPL request to MPCA/MDH? Yes No

Project Description: (attach additional sheets if necessary): Click or tap here to enter text.

Identify the Project Type:

Wastewater

Stormwater

Drinking Water

Check which applies to the project seeking funding:

Wasteload reduction prescribed under a TMDL Plan (list all that apply to the specific PPL project):

Receiving Water Click or tap here to enter text.

Title and year of Approved TMDL (if applicable) Click or tap here to enter text.

Pollutant of concern Click or tap here to enter text.

Receiving Water Click or tap here to enter text.

Title and year of Approved TMDL (if applicable) Click or tap here to enter text.

Pollutant of concern Click or tap here to enter text.

Receiving Water Click or tap here to enter text.

Title and year of Approved TMDL (if applicable) Click or tap here to enter text.

Pollutant of concern Click or tap here to enter text.

*Attach separate sheets for each additional Receiving Water with approved TMDLs.*

Phosphorus concentration/mass limit of 1 mg/L or less in MPCA permit

Other water quality-based effluent limit (WQBEL) that exceeds secondary treatment limits in MPCA permit:

Permit Date Click or tap here to enter text.

Pollutant Click or tap here to enter text.

Pollutant Click or tap here to enter text.

Pollutant Click or tap here to enter text.

Pollutant Click or tap here to enter text.

Total nitrogen limit of 10 mg/L or less (land based treatment)

Other Sources of Project Financing (in addition to the Point Source Implementation Grant)

|  |  |  |  |
| --- | --- | --- | --- |
| SOURCE | AMOUNT REQUESTED | CONTACT PERSON  Name and email | STATUS  (Click appropriate box) |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Not applied  Application submitted  Funding pending  Funding awarded |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Not applied  Application submitted  Funding pending  Funding awarded |
| Click or tap here to enter text. | Click or tap here to enter text. | Click or tap here to enter text. | Not applied  Application submitted  Funding pending  Funding awarded |

Project Schedule - provide estimated or actual dates for:

Submission of Plan & Specification to PCA Click or tap here to enter text.

(Note if DW project, Plans & Specifications must also be submitted to MDH)

Advertising for Bids Click or tap here to enter text.

Open bids Click or tap here to enter text.

Award bids Click or tap here to enter text.

Start Construction Click or tap here to enter text.

End Construction Click or tap here to enter text.

Specify the sources of revenue that will be used to operate and maintain the system. Attach a copy of current rate ordinance(s) and projected annual revenues and operation/maintenance expenses when project begins operation.

Click or tap here to enter text.

Identify whether the project site(s) are owned by the applicant, leased by the applicant, or other (specify):

Owned

Leased

Other Specify: Click or tap here to enter text.

If the project involves a lease or a non-permanent easement, complete the Minnesota Management and Budget [Checklist for Ground Leases and Easements](https://mn.gov/mmb/assets/Checklist-for-Ground-Leases-and-Easements_tcm1059-126878.pdf) and submit it to MPFA.

Will any of the project occur in or along or cross a State Trunk Highway?

No

Yes Please explain: Click or tap here to enter text.

Is there a contract/agreement with another entity to operate or manage the sewer system (i.e. private operator agreement)? If yes, please submit a copy of the contract/agreement.

Yes

No

For Wastewater Projects, identify who will prepare and submit the Performance Certification (including as-built plans, Operation & Maintenance Manual, and related items) to MPCA:

Consulting Engineer Name Click or tap here to enter text.

Telephone Click or tap here to enter text.

E-mail Click or tap here to enter text.

Engineering Firm Click or tap here to enter text.

Address Click or tap here to enter text.

Click or tap here to enter text.

### FORM 4: PSIG PROJECT COSTS AND SOURCES OF FUNDING

Note: This is an embedded excel worksheet.

* Double click on the icon below to open-edit the file in Excel.
* Save when done editing, then close; you’ll return to this Word doc and the embedded excel file will be updated.



Yellow-shaded cells are for entries, the one blue-shaded cell is a drop-down choice entry.

**NOTE:**

*After filling out Form 4, build a spreadsheet of construction costs (see page 4).*

*Label this spreadsheet FORM 5 and attach it to your application.*

*Refer questions on this requirement to your MPCA Engineer.*

### FORM 6: Tax Compliance Certification Checklist

**Applicant:** Click or tap here to enter text.

**Person completing this form:** Click or tap here to enter text.

**Date form completed:** Click or tap here to enter text.

**Applicant’s Tax Compliance Officer:** Click or tap here to enter text.

**Description of Financed Assets:** Click or tap here to enter text.

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Question** | | **Response**  (check box) |
| **Ownership** | 1 | Does the Applicant own all the project assets to be financed (land, facilities, buildings)? | Yes  No |
| **Lease and Other Rights** | 2 | Is any part of the financed asset leased pursuant to a lease or similar agreement for more than 50 days? | Yes  No |
| **Management or Services Agreements** | 3 | Has the applicant entered into an agreement with another entity to manage the operation of the financed asset (for example, does a private company operate the system on behalf of the applicant)? | Yes  No |
| **Output Agreements & Other Use** | 4 | Has the applicant entered into any agreement with an individual or entity that grants special legal rights to the financed asset or permits any entity to purchase output of the system other than at retail (e.g., has the applicant entered into a take agreement, a take or pay agreement, a requirements agreement, or similar agreement related to output from the financed assets)? | Yes  No |
| **Legal Review** | 5 | If the answers to 2, 3 or 4 are “Yes”, has the City’s attorney or bond counsel reviewed the agreements for conformance with IRS tax-exempt rules and regulations? | Yes  No |

## CERTIFICATION #1: Compliance with Laws, Rules and Regulations

PSIG recipients are required to comply and ensure their contractor(s) comply with certain state laws, rules and regulations including but not limited to those described below which will be invoked as a condition of the grant.

1. Minnesota Statutes, Section 16B.31, subdivision 2 requires that all project funding be in place prior to execution of grant agreement.
2. Minnesota Statutes, Section 471.345 Uniform Municipal Contracting Law.
3. Minnesota Statutes, Section 574.26 to 574.32, the Public Contractors’ Performance and Payment Bond Act, as applicable.
4. Minnesota Statutes, Section 16C.285, as amended. Responsible Contractor Requirements. Solicitation documents must include the specified language for contracts, debarment checks of contractors.
5. Minnesota Statutes, Section 16A.695, State Bond Financed Property.
6. Minnesota Statutes Section 16C.16, subd 13, Promote Use of Targeted Businesses.
7. Minnesota Statutes, Section 13, the Minnesota Government Data Practices Act.
8. Minnesota Statutes, Section 181.59, discrimination on account of race, creed, or color prohibited in contracts. Minnesota Statutes, Section 363A.08 prohibits unfair discrimination practices related to employment or unfair employment practices.
9. Minnesota Statutes Chapter 363 Minnesota Human Rights Act. Requires that all public services be operated in such a manner that does not discriminate against any person in the access to, admission to, full utilization of or benefit from such public service.
10. Minnesota Statues, Section 363A.36 Subd 1a, Minnesota Department of Human Rights’ (MDHR) affirmative action plan. MPFA recipients are encouraged to prepare and implement an affirmative action plan for the employment of people with disabilities, people of color, and women, and submit the plan to the commissioner of Human Rights.
11. Minnesota Statutes, Section 363.36, Minnesota Department of Human Rights’ (MDHR) affirmative action plan requirements for contracts exceeding $250,000. An affirmative action plan and workforce certificate for affected contractors is required prior to contract award.
12. Minnesota Statutes, Section 363A.44, Equal Pay Certificate. Applies to contracts exceeding $1,000,000 with a business that has 40 or more full-time employees.
13. The recipient’s Minnesota Pollution Control Agency permit construction schedule submissions. Submissions may include as-built plans and specifications, revised operation and maintenance manual or a certification of completion. Refer to the MPCA permit and construction schedule.
14. Minnesota Statutes, Sections 176.181 - 176.182 - requires recipients and subcontractors to have worker’s compensation insurance coverage.
15. Minnesota Statutes, Sections 177.41 - 177.43 Prevailing Wage Rate Law. Requires that contractors pay laborers and mechanics prevailing wages established by the Minnesota Department of Labor and Industry for public works projects. The recipient will ensure that the proper state prevailing wages and required contract conditions are included in bidding documents and in construction contracts.
16. Minnesota Statutes, Section 290.9705. Requires that 8 percent of payments made to out-of-state contractors be withheld once cumulative payments made to the contractor for work done in Minnesota exceed $50,000 in a calendar year, unless an exemption is granted by the Department of Revenue.
17. Laws of Minnesota 2010 Chapter 361, article 3, section 5(b). Clean Water Fund sign posting requirements.

The Click or tap here to enter text. certifies that it has or will comply with the above requirements.

(Name of Recipient)

(Signature of Authorized Official) Date:

(*If digital signature is not available, print, sign, scan and email with application to the assigned MPFA loan officer)*

## CERTIFICATION #2: Minority and Women-Owned Business Enterprise (M/WBE) and Smaller Markets and Rural Areas (SMRA)

Note: this certification is part of the SRF application and is not needed separately for PSIG.

Consult your loan officer with questions on this.

## CERTIFICATION #3: Compliance Certification, No Conviction of Felony Financial Crime by a Principal

### 

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| As a condition of receiving funding, Applicants must certify to the statement below. | | | | | | | | | | | | | | |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
| Minnesota Statutes Section 16B.981 Subd. 2 (6) requires that no current principals of a recipient have been convicted of a felony financial crime in the last 10 years. A principal is defined as a public official, a board member, or staff (paid or volunteer) with the authority to access funds provided by this financial assistance opportunity or to determine how those funds are used. | | | | | | | | | | | | | | |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
| **CERTIFICATION:** | | | | | | | | | | | | | | |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
| The applicant certifies that no current principals have been convicted of a felony financial crime in the last 10 years. I have attached a list or chart of all principals. | | | | | | | | | | | | | | |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
| Applicant name: | |  |  |  | | | | | | | | | |  |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
| Signer Name: | | | |  | | | | | | | | | |  |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
| Signer Title: | | | |  | | | | | | | | | |  |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
| Signed by authorized official: | | | | *Note: this form is not capable of digital signatures. To officially demonstrate approval of this certification, the official signer must either 1) print, sign, and return this form, or 2) send an email to the MPFA loan officer. Please copy-paste the subject line and body of the email from below:* | | | | | | | | | |  |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
|  |  |  | **loan officer email:** |  | | | | | | | | | |  |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
|  |  |  | **copy into email subject line:** | MPFA Application Forms, Certification as to no Felony Convictions | | | | | | | | | |  |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |
|  |  |  | **copy into body of email:** | By this email I hereby certify that no current principals have been convicted of a felony financial crime in the last 10 years. Additionally, I have attached a list or chart of all principals. | | | | | | | | | |  |
|  |  |  |  | |  |  |  |  |  |  |  |  |  |  |

## APPENDIX A: Sample - Grant Applicant Resolution

RESOLUTION AUTHORIZING THE (applicant) TO SUBMIT A POINT SOURCE IMPLEMENTATION GRANT APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY (PFA) AND TO AUTHORIZE CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE (applicant) FOR THE (name of project)

WHEREAS, the Point Source Implementation Program, established in Minnesota Statutes 446A.073, as amended provides funds for construction projects; and

WHEREAS the (applicant) is hereby applying to the Minnesota Public Facilities Authority for a funds to be used for eligible costs for the (describe project).

BE IT RESOLVED that the (name of applicant) has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED, that upon approval of its application by the MPFA, (applicant) may enter into an agreement with the MPFA for the above referenced project, and that (applicant) certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application.

NOW, THEREFORE BE IT FURTHER RESOLVED, that (title of first authorized official) and (title of second authorized official), or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the above project on behalf of the (applicant).

I CERTIFY THAT the above resolution was adopted by the (Governing Body) on (month, day, year).

SIGNED: WITNESSED:

NAME: NAME:

TITLE: TITLE:

Date: Date:

S E A L

## APPENDIX B: State of Minnesota Prevailing Wages

This language must be included in all bid specifications and construction contracts:

Pursuant to Minnesota Statutes 177.41 to 177.44 and corresponding Rules 5200.1000 to 5200.1120, this contract is subject to the prevailing wages as established by the Minnesota Department of Labor and Industry. Specifically, all contractors and subcontractors must pay all laborers and mechanics the established prevailing wages for work performed under the contract. Failure to comply with the aforementioned may result in civil or criminal penalties.

Insert the applicable Minnesota wage determination into all proposals and all contracts.

**Payrolls/Records**

The contractor and subcontractor shall furnish to the OWNER copies of any or all payrolls not more than 14 days after the end of each pay period. The payrolls must contain all the data required by Minnesota Statutes Section 177.30. Subcontractors must furnish payrolls to the contractor. The OWNER may examine all records relating to wages paid laborers or mechanics on work to which Minnesota Statutes Sections 177.41 to 177.44 apply.

**Posting of Wage Rates/Required Posters**

Each contractor and subcontractor performing work on a public project shall post on the project the applicable prevailing wage rates and hourly basic rates of pay for the county or area within which the project is being performed, including the effective date of any changes thereof, in at least one conspicuous place for the information of the employees working on the project. The information so posted shall include a breakdown of contributions for health and welfare benefits, vacation benefits, pension benefits, and any other economic benefits required to be paid.

For more information regarding prevailing wage and its application, contact:

Minnesota Department of Labor and Industry  
Prevailing Wage unit  
443 Lafayette Road N.  
St. Paul, MN 55155  
Phone: (651) 284-5091  
E-mail: [dli.prevwage@state.mn.us](mailto:dli.prevwage@state.mn.us)  
Web: [Home | Minnesota Department of Labor and Industry (mn.gov)](https://www.dli.mn.gov/)

[Prevailing-wage information | Minnesota Department of Labor and Industry (mn.gov)](https://www.dli.mn.gov/business/employment-practices/prevailing-wage-information)

## APPENDIX C: Clean Water Legacy Funded Project Signage

Information on the Legacy Logo for physical signs can be found here: [Legacy Logo | Minnesota's Legacy (mn.gov)](https://www.legacy.mn.gov/legacy-logo).

Use this template as a guide for designing a Clean Water Legacy sign for posting at project site.



## APPENDIX D: Real Property Declaration and Waiver Requirements

An example request letter appears on the next page. Submit electronically to [Roger Behrens, Roger.Behrens@state.mn.us (651-201-8131)](mailto:Roger.Behrens@state.mn.us) at MMB for review and response. Please also copy your MPFA loan officer on the waiver request email.

Delete instructions in [brackets] before submitting to MMB.

### Example of Letter Requesting a Waiver

*(Put on City Letterhead)*

DATE:

Commissioner of Minnesota Management and Budget

c/o Roger Behrens [roger.behrens@state.mn.us](mailto:roger.behrens@state.mn.us)

Minnesota Management and Budget

400 Centennial Office Building

658 Cedar Street

St. Paul, MN 55155

RE: Real Property Declaration Waiver Request - \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Project

MPFA-\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [insert MPFA project no.]

Dear Commissioner:

The City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has applied to the Minnesota Public Facilities Authority (“MPFA”) requesting funding for a project within its jurisdiction. The project will be funded with a MPFA [include only the applicable funding sources:] Clean Water Revolving Fund Loan/Drinking Water Revolving Fund Loan/Wastewater Infrastructure Grant. As described in the application to the MPFA, the project is as follows:

[describe project]

The financing above will be funded in whole or in part with State bond proceeds, and the City must comply with the requirements applicable to Real Property Declarations set forth in Section 7.02 of Minnesota Management and Budget’s (MMB’s) Fourth Order Amending Order of Commissioner of Finance dated July 30, 2012 (the “Commissioner’s Order”).

[use one of the following two paragraphs:]

[if the entire project is eligible for a waiver] This letter constitutes the City’s written request for a waiver of the Declaration requirement because the entire project lies within roads, highways or utility or transit corridors, easements or rights of way, and the recording of the Declaration against such property would be unduly onerous or impracticable. I understand that the City will have to sign a Waiver Certification that the property improved by the funding described above is State bond financed property and cannot be sold, encumbered or otherwise disposed of without the approval of the Commissioner of MMB.

[if only a portion of the project is eligible for a waiver] This letter constitutes the City’s written request for a waiver of the Declaration requirement only for the portion of the project within roads, highways or utility or transit corridors, easements or rights of way, and the recording of

the Declaration against such property would be unduly onerous or impracticable. I understand that the City will have to sign a Waiver Certification that the property subject to the waiver is State bond financed property and cannot be sold, encumbered or otherwise disposed of without the approval of the Commissioner of MMB. I also understand that the City will be required to record a real property Declaration for the remaining parcel(s) of land in the project that is/are not eligible for the waiver, stating that such parcel(s) is/are State bond financed property and cannot be sold, encumbered or otherwise disposed of without the approval of the Commissioner of MMB.

I am including for your review a map which shows the location of the project. If you need any additional information, please contact me at (\_\_\_) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Sincerely,

cc: \_\_\_\_\_\_\_\_\_\_\_\_, MPFA [insert name and email of MPFA loan officer]

### Example of MMB Waiver Certification

(ACTUAL WAIVER CERTIFICATION WILL BE PROVIDED BY MMB - DO NOT SIGN THIS FORM)

Minnesota Management and Budget

State of Minnesota

General Obligation Bond Financed Property

The undersigned has a fee simple, leasehold and/or easement interest in the real property located in the County(ies) of \_\_\_\_\_\_\_\_\_\_\_\_\_, State of Minnesota that is generally described or illustrated graphically in Exhibit A attached and all facilities situated thereon (the “Restricted Property”) and acknowledges that the Restricted Property is or may become State bond-financed property. To the extent that the Restricted Property is or becomes State bond-financed property, the undersigned acknowledges that:

* 1. The Restricted Property is state bond financed property within the meaning of Minn. Stat. Sec. 16A.695, is subject to the encumbrance created and requirements imposed by such statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget.
  2. The Restricted Property is subject to the provisions of the Bond Purchase and Project Loan Agreement between the Minnesota Public Facilities Authority and [name of Recipient] for Loan No. MPFA - , dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_; and
  3. The Restricted Property shall continue to be deemed state bond financed property for 125% of the useful life of the Restricted Property or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

[name of Recipient],

a political subdivision of the state of Minnesota

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Title:

Exhibit A

GENERAL DESCRIPTION OF RESTRICTED PROPERTY

[Insert a narrative or graphic description of the Restricted Property. It need not be a legal description.]