



SAN ANTONIO WATER SYSTEM
Dos Rios Water Recycling Center (DRWRC) Digester Mixing and System
Enhancements, Phase II
SAWS Job No. 11-6502
Solicitation No. B-12-053-MF

ADDENDUM NO. 3

To Bidder of Record:

This addendum, applicable to the project referenced above, is an amendment to the bidding documents and as such will be a part of and included in the Contract Documents. Acknowledge receipt of this addendum by entering the addendum number in the space provided in the bid proposal.

Revisions to Contract/Technical Specifications:

1. Table of Contents – Division 00 – Bidding Requirements, Contract Forms, and Conditions of the Contract, add the following:
 - a. Add “Conflict of Interest Questionnaire Form” after “Conflict of Interest”.
 - b. After “TWDB Supplemental Contract Conditions” add the following:
 - “Contractor’s Act of Assurance (Form ED-103)
 - Contractor’s Resolution on Authorized Representative (Form ED-104)
 - TWDB-0210
 - TWDB-0216
 - TWDB-0217
 - TWDB-0373
 - Site Certificate”.

2. Invitation to Bidders
 - a. Replace the statement in Paragraph 9 that reads:

“MBE: CONSTRUCTION 34.8%; SUPPLIES 9.7%; SERVICES 16.1%;
EQUIPMENT 7.2%.

WBE: CONSTRUCTION 6.7%; SUPPLIES 5.2%; SERVICES 21.3%;
EQUIPMENT 4.1%.”

with the following statement:

“MBE: CONSTRUCTION 12.94%; SUPPLIES 9.68%; SERVICES 10.84%;
EQUIPMENT 7.12%.

WBE: CONSTRUCTION 8.72%; SUPPLIES 9.34%; SERVICES 5.72%;
EQUIPMENT 5.39%.”

3. Contractor's Bid Packet Checklist
 - a. Change "Items to be included for Submittal with Bid:", as follows:
 - i. Replace "11. DBE Form 6100-3" with "11. Agreement Concerning Sludge Sampling (if sample taken)"
 - ii. Replace "12. DBE Form 6100-4" with "12. Acknowledgement of Pollution Abatement Compliance"
4. Conflict of Interest Questionnaire Form
 - a. Add the attached Specification Section "Conflict of Interest Questionnaire Form" to Division 00 – Bidding Requirements, Contract Forms, and Conditions of the Contract, after "Conflict of Interest Questionnaire Note:".
5. Contractor's Act of Assurance (Form ED-103)
 - a. Add the attached Specification Section "Contractor's Act of Assurance (Form ED-103)" to Division 00 - Bidding Requirements, Contract Forms, and Conditions of the Contract, after "TWDB Supplemental Contract Conditions".
6. Contractor's Resolution on Authorized Representative (Form ED-104)
 - a. Add the attached Specification Section "Contractor's Resolution on Authorized Representation (Form ED-104)" to Division 00 - Bidding Requirements, Contract Forms, and Conditions of the Contract, after "Contractor's Act of Assurance (Form ED-103)".
7. TWDB-0210
 - a. Add the attached Specification Section "TWDB-0210" to Division 00 - Bidding Requirements, Contract Forms, and Conditions of the Contract, after "Contractor's Resolution on Authorized Representative (Form ED-104)".
8. TWDB-0216
 - a. Add the attached Specification Section "TWDB-0216" to Division 00 - Bidding Requirements, Contract Forms, and Conditions of the Contract, after "TWDB-0210".
9. TWDB-0217
 - a. Add the attached Specification Section "TWDB-0217" to Division 00 - Bidding Requirements, Contract Forms, and Conditions of the Contract, after "TWDB-0216".
10. TWDB-0373
 - a. Add the attached Specification Section "TWDB-0373" to Division 00 - Bidding Requirements, Contract Forms, and Conditions of the Contract, after "TWDB-0217".
11. Site Certificate

- a. Add the attached Specification Section “Site Certificate” to Division 00 - Bidding Requirements, Contract Forms, and Conditions of the Contract, after “TWDB-0373”.
12. Specification Section 13219 – Plastic Liner Repair for Existing Concrete Structures
- a. Change Article 1.1 B as follows:
 - i. Replace “1. Section 01312 – Project Meetings.” with “1. Division 00 – Bidding Requirements, Contract Forms, and Conditions of the Contract.”
 - ii. Replace “2. Section 01329 – Safety Plan.” with “2. Division 1 – General Requirements.”
 - b. Change Article 1.4 A as follows:
 - i. In this item change Specification Section reference from “01330” to “01340”.
 - c. Change Article 1.7 A as follows:
 - i. In this item change Specification Section reference from “01312” to “01060”.
 - d. Change Article 1.8 A as follows:
 - i. In this item change Specification Section reference from “01140” to “01015”.
13. Specification Section 13300 – Instrumentation General Provisions
- a. Add the following to Article 1.5 D:
 - i. “5. KST Electric
14215 Suncrest Road
Manor, TX 78653
Attention: Brandi Watson
Telephone: 512.278.8447
Fax: 512.278.8347”
14. Specification Section 15060 – Pipe and Pipe Fittings: Basic Requirements
- a. Change Article 2.1 A.7.b, as follows:
 - i. Replace “b. General Rubber – Style 1015” with “b. Proco – Style 231”.
 - b. Add the following to Article 2.1 A.8:
 - i. “b. Smith Blair – Model 975”
15. Specification Section 15062 – Pipe: Ductile
- a. Add the following to Article 2.2 C:
 - i. “6. Submerged in Water, Wastewater or Sludge: Type 316 Stainless Steel ASTM A193, Grade B8M for bolts and ASTM A194, Grade 8M for nuts.”
16. Specification Section 15066 – Pipe: Stainless Steel
- a. Add the following to Article 1.2:
 - i. “B. Qualifications:
 - 1. Use only certified welders meeting procedures and performance outlined in ASME Section IX, AWWA C220-07 and other codes and requirements per local building and utility requirements.”

- b. Add the following to Article 1.3:
 - i. “C. Welders certificates.”
- 17. Specification Section 15101 – Gate Valves
 - a. Article 2.2 B.6.a
 - i. Replace “DeZurik, Series L.” with “DeZurik, Series KGC and KCB.”
- 18. Specification Section 15106 – Check Valves
 - a. Article 2.2 A. 2
 - i. Add “d. Crispin Valves.”

Revisions to Drawings:

- 1. Drawing No. 04M501
 - a. Detail 4 – Pipe Support PS-DGF-3: Change “2’-0” Min Bury” to “3’-6” Min Bury”, and “7’-6” Clear” to “6’-6” Clear”.

Response to Bidder’s Questions:

The following questions were received from Contractors and Vendors. They are included in this Addendum as originally submitted. Each question is responded to for clarification purposes.

- 1. Regarding the rubber boot expansion joint application (as shown on Sheet No. 00M203 detail 1): Is it your intent to use the expansion joint as a way to remove and replace the valve in service, similar to what a Flange Coupling Adapter, Dresser Coupling or Dismantling joint will do?

Our concern/EJ Proper Function: Expansion joints are meant to be installed at a *design specific* nominal length – at rest. Most often these expansion joints are used in tandem with pumps or equipment to handle temporary expansion or contraction. Prolonged expansion or contraction can cause premature failure (i.e. tearing, sagging). The problem with this retrofit configuration is that there are no variable length pieces to accommodate reinstallation after disassembly – fixed length spool, fixed length new valve, fixed length gaskets & the “fixed length/design specific nominal length” expansion joint. So -- unless all the pieces are perfectly dimensioned -- the only piece that can change length is the expansion joint and unfortunately that is to the detriment of its long term proper function.

Response: The application of the expansion joint as currently shown has been reviewed. The expansion joint as shown will remain.

- 2. KST Electric is interested in bidding the controls for the SAWS Dos Rios Water Recycling Center project. We are not listed as a system integrator within the specs but would like to get qualified. Please find our qualifications attached. This project bids 11/29. Please let us know what we need to do in order to get approved. Currently, we are

performing controls work for SAWS on the Regional Carrizo Buckhorn Wellfield Collection project.

Response: KST will be added via Addendum.

3. On Sheet 01E102, conduits no. 7,8,9,10,11,12,13-16,17-20 which are in duct bank C are missing in duct bank B. Please verify.

Response: This will be addressed via Addendum.

4. Can you please tell us how much material was removed from the cleaning of Digester 4, how much from SHT 1 and the time that has elapsed since they were cleaned the last time? Can you please tell us the price per Dry Ton for the last cleaning?

Response: Cleaning of Digester No. 4 has not been completed and is ongoing. SHT No. 1 had about 140 dry tons. The cleaning of SHT No. 1 was completed around September 20, 2012. The contractor is responsible for doing research to determine bid price.

5. Where does filtrate need returned after dewatering of sludge/grit from tank/digesters?

Response: To the Flow Equalization Basins, Headworks, or otherwise specified by the Owner.

6. Will power be provided for the digester cleaning operation?

Response: Power shall be provided in accordance with Section 01500.

7. How many amps of 480 3 phase power can be made available? 250 – 300 amps?

Response: Power shall be provided in accordance with Section 01500.

8. Will you provide where the dewatered digester solids are currently being disposed?

Response: Contractor is responsible for find a proper way to dispose of the dewatered solids.

9. Will you provide the amount of solids that have come out of the digesters for the Phase 1 project?

Response: Digester No. 4 is the only digester that is currently being cleaned as part of the Phase 1 project. Cleaning of Digester No. 4 is ongoing. SHT No. 1 had about 140 dry tons.

10. Is Sludge Holding Tank No. 1 already cleaned out?

Response: Yes, Sludge Holding Tank No. 1 has recently been cleaned as part of the Phase 1 project.

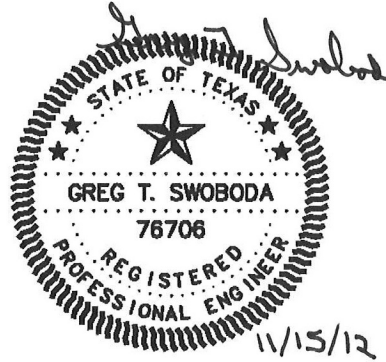
11. We would like to formally request an extension of time to present bid questions regarding the above referenced project. With the SAWS bid last week and other local bids we have not had ample time to thoroughly familiarize ourselves with the plans and specs. Please consider extending the time to Friday at 4 pm.

Response: Per Addendum No. 2, the date for bidder questions was extended to 2pm on November 15, 2012.

Clarification:

It is not necessary to enter the Addendum No. issuance date in the bid proposal.

This addendum consists of six (6) pages, plus eight (8) attached specification sections. The remainder of the bid documents remains unchanged.



Greg T. Swoboda

Greg T. Swoboda, P.E.
Project Manager
HDR Engineering, Inc.
Texas Firm Registration No. F-754

ACKNOWLEDGEMENT BY BIDDER

Each bidder is required to acknowledge receipt of this Addendum No. 3 on the Bid Proposal and by his/her signature affixed hereto and file same as an attachment to his/her bid.

The undersigned acknowledges receipt of this Addendum No. 3 and the bid submitted herewith are in accordance with the information and stipulation set forth.

Signature of Bidder

Date

END OF ADDENDUM

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4

Signature of person doing business with the governmental entity

Date

CONTRACTOR'S ACT OF ASSURANCE

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, _____, a Notary Public duly commissioned and qualified in and for the County of _____ in the State of Texas came and appeared _____, as represented by _____, the corporations _____, who declares he/she is authorized to represent _____ pursuant to provisions of a resolution adopted by said corporation on the _____ day of _____, 20____ (a duly certified copy of such resolution is attached to and is hereby made a part of this document). _____, as the representative of _____, declares that _____ assures the Texas Water Development Board that it will construct _____ project at _____, Texas, in accordance with sound construction practice, all laws of the State of Texas, and the rules of the Texas Water Development Board.

GIVEN UNDER MY HAND and seal of office this _____ day of _____,

20____.

Signature

Printed Name

My Commission expires _____

CONTRACTOR'S RESOLUTION ON AUTHORIZED REPRESENTATIVE

Name or Names

I hereby certify that it was RESOLVED by a quorum of the directors of the _____, (Name of Corporation) meeting on the day of _____, 20_____, that _____, _____, _____, and _____, be, and hereby is/are authorized to act on behalf of _____, (Name of Corporation) as its representative in all business transactions conducted _____ in the State of Texas, and:

That all above resolution was unanimously ratified by the Board of Directors at said meeting and that the resolution has not been rescinded or amended and is now in full forces and effect and;

In authentication of the adoption of this resolution, I subscribe my name and affix the seal of the corporation this _____ day of _____, 20_____.

Secretary

(seal)

**TWDB-0210
Guidance For**

**U.S. Environmental Protection Agency
Disadvantaged Business Enterprise Program**

**Texas Water Development Board
1700 N. Congress Ave.
P.O. Box 13231
Austin, TX 78711-3231**

Staff Contact:
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DBE & Policy Coordinator, Program & Policy Development
Phone: (512) 463-2634
Fax: (512) 475-2086
Email: rene.gonzalez@twdb.texas.gov

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About the Disadvantaged Business Enterprise Program

It is the intent of the TWDB to ensure that applicants and contractors are provided with information and guidance to successfully meet the EPA's DBE program requirements. This guide covers the review process, descriptions and instructions for each form, elaboration on the "Six Affirmative Steps" and "Good Faith Efforts".

The Texas Water Development Board's (TWDB) Clean Water and Drinking Water State Revolving Fund (SRF) programs receive federal funds from the U. S. Environmental Protection Agency (EPA). These federal funds are matched by the State of Texas and are used to provide low-interest rate loans to finance wastewater and drinking water capital projects. As a condition of federal grant awards, EPA regulations require that loan recipients (municipalities, towns, public water authorities, etc.) and sub-recipients (prime contractors and sub-contractors) make a "**Good Faith Effort**" to award a fair share of work to contractors who are certified as Minority Business Enterprises (MBE's), and Women-owned Business Enterprises (WBE's) whenever procuring **construction, supplies, services and equipment**.

The DBE Program is an outreach, education, and goal oriented program designed to increase the participation of DBE's in procurements funded by EPA assistance agreements. In addition, EPA regulations require evidence showing that loan recipients performed the "Six Affirmative Steps" during procurement situations.

The TWDB's current negotiated fair share goals are:

<u>CATEGORY</u>	<u>MBE</u>	<u>WBE</u>
Construction	12.94%	8.72%
Equipment	7.12%	5.39%
Supplies	9.68%	9.34%
Services	10.84%	5.72%

The TWDB does not require that recipients meet the fair share objectives, however the EPA may take remedial action under 40 CFR § 33.105 for failure to comply with the good faith efforts requirements as detailed on page 9.

Since all construction, supplies, services, and equipment procurements require compliance with DBE, it is important that all forms are completed accurate and timely to prevent withholding of payments or project delays.

When are DBE forms required?

Entities receiving federal financial assistance through the SRF Programs will be required to submit DBE documentation at different phases during the project's lifecycle (Project Application, Commitment and Closing, Planning/Design, and Construction Contract Phases).

Project Application Phase	Form	Responsibility
	TWDB-0215	Applicant/Entity

Applicants requesting federal financial assistance through the SRF funds must include a TWDB-0215 form with the loan application.

Commitment and Closing Phase	Form	Responsibility
	TWDB-0216	Applicant/Entity
	TWDB-0217	Prime Engineer, Financial Advisor, Bond Counsel
	TWDB-0373	Applicant/Entity

After loan commitment, but prior to closing, applicants must provide forms TWDB-0216 and TWDB-0373 forms. The project's Prime Engineer, Financial Advisor, and Bond Counsel must complete a TWDB-0217 form and indicate if any subcontracting opportunities will be available or if the contractor will be self-performing the contract. Regardless of the procurement's outcome, all entities must submit a TWDB-0373 and list the contractors selected by the applicant for the project. Failure to comply or include a contractor and/or contract will result in denial of payment.

Planning/Design Phase	Form	Responsibility
	TWDB-0216	Prime Engineer
	TWDB-0373	Prime Engineer

Some projects require additional procurement during the planning phase for geotechnical and materials testing, pilot testing, surveying, archeological surveys, etc. Projects requiring additional procurements will require a TWDB-0216 and TWDB-0373 form be completed by the Prime Engineer.

Construction Contract Phase	Form	Responsibility
	TWDB-0216	Applicant/Entity
	TWDB-0217	Prime Construction Contractor
	TWDB-0373	Applicant/Entity
	TWDB-0216	Prime Construction Contractor
	TWDB-0373	Prime Construction Contractor

For each Construction Contract, applicants are required to submit a TWDB-0216 and TWDB-0373 for the procurement of the project's Prime Contractor. If the Prime Contractor is utilizing subcontractors for the project, then additional TWDB-0216 and TWDB-0373 forms must be submitted prior to requesting payment.

What is the significance of the TWDB-0215?

This form establishes the Applicant/Entity's understanding of federal guidelines and certifies their willingness to comply with EPA's "Good Faith Effort" policy in all project procurements paid for with federal loan proceeds. Section III describes the maximum potential Minority Business Enterprise/Women-Owned Business Enterprise (MBE/WBE) procurement participation opportunities using the EPA negotiated goals.

How to Complete a TWDB-0215

Step 1: If known, enter the 5-digit project number assigned by the TWDB for the project in Section I, Box A.

Step 2: Enter the name of the applicant/entity in Section I, Box B.

Step 3: Enter the total TWDB funding request amount in Section I, Box C.

Step 4: Select the type of loan requested (DWSRF or CWSRF) in Section I, Box D.

Step 5: Read Section II regarding the six required "Good Faith Efforts."

Step 6: Provide signature, title, and certification date in Section II.

Step 7: Enter the anticipated amounts of construction, equipment, supplies, and services in the left column of Section III. When entered, the potential MBE and WBE participation amounts will automatically be calculated according to the current fair share goals.

What is the significance of the TWDB-0216?

This form identifies who was solicited and how the solicitation was conducted. This form is required for applicants who procure Bond Counsel, Financial Advisor, and Prime Engineering professional services and intend to fund those services with federal loan proceeds.

How to Complete a TWDB-0216

Step 1: If known, enter the 5-digit project number assigned by the TWDB for the project in Section I, Box A.

Step 2: Enter the name of the applicant/entity in Section I, Box B.

Step 3: Enter the total TWDB funding request amount in Section I, Box C.

Step 4: Select the type of loan requested (DWSRF or CWSRF) in Section I, Box D.

Step 5: Provide the project's name.

Step 6: Indicate who is soliciting the project (Applicant/Entity or Prime Contractor).

Step 7: Select the project phase for which procurement is sought (Application, Planning/Design, or Construction). If the project is the Construction Contract phase, please indicate the contract number.

Step 8: Provide the business name, point of contact, addresses, telephone number, and e-mail for each business solicited for procurement in Section II, Columns 1-4. Entities must solicit to a minimum of 3 businesses/firms for each type of contract sought (i.e. three engineering, financial advisor, and bond counsel firms) to demonstrate a Good Faith Effort.

Step 9: Provide the category of procurement (construction, equipment, supplies, and services) in Section II, Column 5.

Step 10: Indicate whether the firm is a Minority Business Enterprise (MBE), Women-Owned Business Enterprise (WBE), or Other (non-MBE/WBE firms) in Section II, Column 6.

Step 11: Indicate the combination of solicitation methods utilized for procurement in Section II, Column 7. To achieve a "Good Faith Effort" a minimum of two methods must be utilized for solicitation, however additional methods are encouraged by the TWDB should any of the attempted methods fail to meet DBE program requirements.

Step 12: Attach a copy of the advertisement, RFQ packet, bid tabulation, fax/emails, pre-bid meeting sign-in sheet, or any other backup solicitation documentation (required).

Step 13: Provide signature, title, and certification date at the end of Section II.

Important Note! To meet DBE requirements, applicants and contractors must demonstrate "Good Faith Efforts" in maximizing the potential for contracting and subcontracting opportunities. For tips on meeting "Good Faith Efforts" requirements please see page 9.

What is the significance of the TWDB-0217?

This form establishes each prime contractor's understanding of federal guidelines and certifies their willingness to comply with EPA's "Good Faith Effort" policy in all project procurements paid for with federal loan proceeds. Section III describes the maximum potential MBE/WBE subcontracting opportunities using the pre-established goals. Prior to closing, a TWDB-0217 from each prime contractor (i.e. Prime Engineer, Financial Advisor, Bond Counsel, Prime Contractor, etc.) must be submitted for review and approval and may be included with the financial assistance application if procurement has already occurred.

How to Complete a TWDB-0217

Step 1: If known, enter the 5-digit project number assigned by the TWDB for the project in Section I, Box A.

Step 2: Enter the name of the applicant/entity in Section I, Box B.

Step 3: Enter the total TWDB funding request amount in Section I, Box C.

Step 4: Select the type of loan requested (DWSRF or CWSRF) in Section I, Box D.

Step 5: Please enter the name of the prime contractor.

Step 6: If the project is the Construction Contract phase, please indicate the contract number.

Step 7: Provide the dollar amount for each prime contract.

Step 8: Read Section II regarding the six required "Good Faith Efforts."

If there are no available subcontracting opportunities, the prime contract shall certify they will fulfill 100 percent of the contract requirements with their own employees and resources in the designated exception box.

Step 9: Enter the anticipated amounts of construction, equipment, supplies, and services applicable to the contract in the left column of Section III. When entered, the potential MBE and WBE participation amounts will automatically be calculated according to the current fair share goals.

Step 10: Provide signature, title, and certification date in Section II.

What is the significance of the TWDB-0373?

This form describes all contracts actually awarded by the Applicant/Entity and/or Prime Contractor. The TWDB-0373 form should also include a copy of the contractor's official DBE certification to confirm Minority and Women-Owned Business Enterprises status.

How to Complete a TWDB-0373

Step 1: If known, enter the 5-digit project number assigned by the TWDB for the project in Section I, Box A.

Step 2: Enter the name of the applicant/entity in Section I, Box B.

Step 3: Enter the total TWDB funding request amount in Section I, Box C.

Step 4: Select the type of loan requested (DWSRF or CWSRF) in Section I, Box D.

Step 5: Provide the project's name.

Step 6: Indicate who is soliciting the project (Applicant/Entity or Prime Contractor).

Step 7: Select the project phase for which procurement is sought (Loan Commitment/Closing, Planning/Design, or Construction). If the project is the Construction Contract phase, please indicate the contract number.

Step 8: Provide the name and address of each contractor in Section II, Column 1.

Step 9: Provide the category of procurement (construction, equipment, supplies, and services) in Section II, Column 2.

Step 10: Indicate whether the firm is a Minority Business Enterprise (MBE), Women-Owned Business Enterprise (WBE), or Other (non-MBE/WBE firms) in Section II, Column 3.

Step 11: List the actual contracted amount for each contract in Section II, Column 4.

Step 12: List the actual contract execution date for each contract in Section II, Column 5.

Step 13: Provide indicate (Y/N) if the MBE/WBE certification is attached in Section II, Column 6 and attach a copy of a valid certification if the contractor has DBE certification issued by: the City of Austin, City of Houston, Texas Department of Transportation, Texas Comptroller of Public Accounts (HUB), Southwest Minority Supplier Development Council, North Central Texas Regional Certification Agency, DFW Minority Business Council or Women's Business Council.

Step 14: Provide signature, title, and certification date in Section II.

Important Note! Please ensure that all contractors to be paid with federal SRF funding are included on the form. Failure to do so will result in denial of payment.

What is a “Good Faith Effort”?

The “Good Faith Effort” activities by a recipient and its prime contractor to increase DBE awareness of procurement opportunities through race/gender neutral efforts. Race/gender neutral efforts are ones which increase awareness of contracting opportunities in general, including outreach, recruitment and technical assistance.

According to 40 CFR § 33.301, a recipient is required to make the following “Good Faith Efforts” whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement:

(a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.

(b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

(c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

Important Note! To achieve a “Good Faith Effort” the entity or prime contractor must utilize a combination of two methods to solicit services, supplies, equipment, and construction for the project. Applicants and contractors are encouraged to search databases provided by the Small Business Administration (http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm), Texas Department of Transportation (<http://www.dot.state.tx.us/business/tucp/tucp-cat.htm>), City of Austin (<http://www.ci.austin.tx.us/smbr/vendors/CertVendor.cfm>), City of Houston (<https://houston.mwdb.com/FrontEnd/VendorSearchPublic.asp>), and Texas Comptroller of Public Accounts (<http://www.cpa.state.tx.us/procurement/cmb/cmbhub.html>) to enhance MBE/WBE contractor participation.

Example National Institute of Government Purchasing (NIGP) Commodity Codes

NIGP Class-Item Codes contain 5-digits. To obtain the five digit code, combine the three digit class code with its corresponding two digit item number

How to Search the Centralized Masters Bidders List and Historically Underutilized Business Directory

Step 1: Click on this link: <http://www.cpa.state.tx.us/procurement/cmb/cmbhub.html>

Step 2: Select the type of business search: CMBL only, HUBs on CMBL, HUBs not on CMBL, HUB mentor protégé, or all vendors.

Step 3: Enter the respective commodity class, item and district codes (please see next page for related water and wastewater commodities) and hit Search.

Step 4: On the following page, select the information you would like to obtain from the database, including: contact information, address, business description, gender, ethnicity, and website.

Step 5: Search Results will appear with the requested information.

Step 6: Click on the Vendor ID or business name to pull up detailed vendor information to confirm HUB status (A = Active, N = Not HUB), contact information, and registered commodities.

Step 7: Gather physical or email contact information from the search results list and distribute the project solicitation.

Example NIGP Commodity Codes

Class	Item(s)	Description
890 (Water Supply, Groundwater, Sewage Treatment, and Related Equipment)	01 - 95	Equipment (various)
907 (Architectural and Engineering Services – Non-Professional)	42	Geotechnical – Soils
907 (Architectural and Engineering Services – Non-Professional)	75	Site Assessment and Site Field Observation
907 (Architectural and Engineering Services – Non-Professional)	83	Testing Services
912 (Construction Services, General)	16	Boring, Drilling, Testing, Soundings
912 (Construction Services, General)	23	Construction, General (Backfill Services, Digging, Ditching, Road Grading, Rock Stabilization)
912 (Construction Services, General)	40	Demolition Services
912 (Construction Services, General)	44	Excavation Services
912 (Construction Services, General)	75	Quality Control Testing Services
913 (Construction Services, Heavy – Including Maintenance and Repairs)	39	Construction, Pipe Culvert
913 (Construction Services, Heavy – Including Maintenance and Repairs)	40	Construction, Pipeline
913 (Construction Services, Heavy – Including Maintenance and Repairs)	45	Construction, Sewer and Storm Drain
913 (Construction Services, Heavy – Including Maintenance and Repairs)	47	Construction, Sidewalk and Driveway
913 (Construction Services, Heavy – Including Maintenance and Repairs)	56	Construction, Utility/Underground Projects
913 (Construction Services, Heavy – Including Maintenance and Repairs)	59	Construction and Upgrades, Wastewater Treatment Plant
913 (Construction Services, Heavy – Including Maintenance and Repairs)	60	Construction, Water System/Plants, Main and Service Line
913 (Construction Services, Heavy – Including Maintenance and Repairs)	63	Lime Slurry Removal Services
913 (Construction Services, Heavy – Including Maintenance and Repairs)	77	Maintenance and Repair, Pipe Culvert
913 (Construction Services, Heavy – Including Maintenance and Repairs)	78	Maintenance and Repair, Pipeline (Includes Removal and Relocation)
913 (Construction Services, Heavy – Including Maintenance and Repairs)	81	Maintenance and Repair, Sewer and Storm Drain (Including Removal)
913 (Construction Services, Heavy – Including Maintenance and Repairs)	82	Maintenance and Repair, Sidewalk and Driveway (Including Removal)
913 (Construction Services, Heavy – Including Maintenance and Repairs)	89	Maintenance and Repair, Utility/Underground Projects
913 (Construction Services, Heavy – Including Maintenance and Repairs)	91	Maintenance and Repair, Wastewater Treatment Plant
913 (Construction Services, Heavy – Including Maintenance and Repairs)	92	Maintenance and Repair, Water System, Main and Service Line
914 (Construction Services, Trade (New Construction))	27 -88	Construction Trades (various)
918 (Consulting Services)	16	Archeological Consulting

918 (Consulting Services)	41	Energy Conservation Consulting
918 (Consulting Services)	42	Engineering Consulting
918 (Consulting Services)	43	Environmental Consulting
918 (Consulting Services)	46	Feasibility Studies (Consulting)
918 (Consulting Services)	55	Geological Consulting and Study
918 (Consulting Services)	72	Lakes, Rivers, and Other Waterway Management Consulting Services
918 (Consulting Services)	74	Legal Consulting
918 (Consulting Services)	97	Utilities: Gas, Water, Electric Consulting
925 (Engineering Services, Professional)	17	Civil Engineering
925 (Engineering Services, Professional)	24	Desalination (Process and Facilities) Engineering
925 (Engineering Services, Professional)	28	Drainage Engineering
925 (Engineering Services, Professional)	33	Engineer Services, Professional
925 (Engineering Services, Professional)	34	Energy Management Engineering
925 (Engineering Services, Professional)	35	Environmental Engineering
925 (Engineering Services, Professional)	36	Engineering Services (Not Otherwise Classified)
925 (Engineering Services, Professional)	37	Facilities Design Services, Engineering
925 (Engineering Services, Professional)	44	General Construction: Management, Scheduling, Cost Estimation – Engineering
925 (Engineering Services, Professional)	45	Geological Engineering
925 (Engineering Services, Professional)	46	Geotechnical Engineering
925 (Engineering Services, Professional)	58	Irrigation; Drainage: Flood Control/Engineering
925 (Engineering Services, Professional)	61	Land Development and Planning/Engineering
925 (Engineering Services, Professional)	70	Municipal Engineering
925 (Engineering Services, Professional)	77	Pollution Control Engineering
925 (Engineering Services, Professional)	78	Power Generation, Transmission, Distribution - Engineering
925 (Engineering Services, Professional)	83	Sanitary Engineering
925 (Engineering Services, Professional)	87	Sewage Collection, Treatment, and Disposal Engineering
925 (Engineering Services, Professional)	96	Waste Water Treatment Engineering
925 (Engineering Services, Professional)	97	Water Supply, Treatment, and Distribution/Engineering
926 (Environmental and Ecological Services)	14	Air Pollution Control Services (Including Data Collection Research and Development, etc.)
926 (Environmental and Ecological Services)	23	Auditing Services, Environment
926 (Environmental and Ecological Services)	29	Contaminated Groundwater Services (Including Discharge Pipe Installation)
926 (Environmental and Ecological Services)	40	Ecological Services
926 (Environmental and Ecological Services)	41	Ecosystem Development, Management and Protection Services
926 (Environmental and Ecological Services)	42	Environmental Services (Not Otherwise Classified)
926 (Environmental and Ecological Services)	52	Impact Studies, Environmental
926 (Environmental and Ecological Services)	62	Noise Testing Services
926 (Environmental and Ecological Services)	70	Permitting Services, Environmental
926 (Environmental and Ecological Services)	72	Planning and Advisory Services, Environmental
926 (Environmental and Ecological Services)	83	Site Assessment, Environmental
926 (Environmental and Ecological Services)	85	Soil, Soil Vapor, and Groundwater Sampling and Analysis (Including Disposal)
926 (Environmental and Ecological Services)	88	Storm Water Discharge Testing Services
926 (Environmental and Ecological Services)	90	Subsurface Testing, Environmental
926 (Environmental and Ecological Services)	91	Tank Testing and Disposal Services, Storage (Including

		Underground Types)
926 (Environmental and Ecological Services)	94	Water Pollution Services
926 (Environmental and Ecological Services)	95	Water/Wastewater Conservation Services
926 (Environmental and Ecological Services)	96	Wetland Delineations (Including Assessments)
946 (Financial Services)	25	Banking Services
946 (Financial Services)	30	Cash/Securities and Bonding Services
946 (Financial Services)	38	Custom Brokerage Services (Including Stocks and Bonds)
946 (Financial Services)	48	Financial Advisor
946 (Financial Services)	49	Financial Services (Not Otherwise Classified)
946 (Financial Services)	56	Investment Management Services
946 (Financial Services)	60	Loan Administration
946 (Financial Services)	66	Monetary Systems (Including Analysis, Liquidity, Policy, etc.)
946 (Financial Services)	75	Securities and Commodities Market Services (Including Direct or Indirect Purchases, Sales and Transactions of Equities, Fixed Income, Options, and Derivatives on an Agency and Principal Basis)
946 (Financial Services)	85	Trusts, Estates and Agency Accounts
958 (Management Services)	05	Asset Management Services
958 (Management Services)	12	Bio-Solids Management Services
958 (Management Services)	26	Construction Management Services
958 (Management Services)	39	Financial Management Services
958 (Management Services)	77	Project Management Services
958 (Management Services)	85	Soil and Land Management Services (Including Testing, Protection, Preparation, Planning, etc.)
961 (Miscellaneous Services, No 1. (Not Otherwise Classified))	01	Archeological Services
961 (Miscellaneous Services, No 1. (Not Otherwise Classified))	32	Environmental Impact Studies
961 (Miscellaneous Services, No 1. (Not Otherwise Classified))	49	Legal Services, Attorney
961 (Miscellaneous Services, No 1. (Not Otherwise Classified))	85	Utility Services, Water
961 (Miscellaneous Services, No 1. (Not Otherwise Classified))	91	Water and Petroleum Pipeline Services
962 (Miscellaneous Services, No 2. (Not Otherwise Classified))	14	Blue Printing Services: Blue Prints, Blue Line, Large Engineering
962 (Miscellaneous Services, No 2. (Not Otherwise Classified))	39	Hauling Services
962 (Miscellaneous Services, No 2. (Not Otherwise Classified))	50	Leak Detection Services: Gas, Water, Chemical
962 (Miscellaneous Services, No 2. (Not Otherwise Classified))	52	Mapping Services (Including Cartography and Surveying Services (Not Aerial – See 902-33 and 905-10 for Aerial Mapping and Surveying Services)
962 (Miscellaneous Services, No 2. (Not Otherwise Classified))	92	Video Scanning of Sewers, Water Wells, etc.
962 (Miscellaneous Services, No 2. (Not Otherwise Classified))	94	Water Services, Bottled and Bulk Delivery (Tanker Services)
962 (Miscellaneous Services, No 2. (Not Otherwise Classified))	96	Well Services (Including Oil, Gas, and Water): Drilling, Plugging, Consulting, Maintenance and Repair
968 (Public Works and Related Services)	18	Back Flow Preventer Testing Services

968 (Public Works and Related Services)	47	Inspection Services, Construction Type
968 (Public Works and Related Services)	63	Relocation and/or Removal Services for Utility Works
968 (Public Works and Related Services)	66	Right of Way Services (Including Title, Appraisal, Negotiation, Closing, Relocation, Condemnation, etc.)
968 (Public Works and Related Services)	73	Storm Drain Cleaning, Repair, and Sludge Removal Services
968 (Public Works and Related Services)	78	Tank Installation, Removal, Disposal, and Related Services (Including Septic and Underground Type)
968 (Public Works and Related Services)	91	Water Supply Analysis, Infrastructure Analysis, Water Quality Analysis, and Long-Term Planning
968 (Public Works and Related Services)	92	Water Supply Plant Operating and Monitoring System Services (Including Water Resources Development and Water Quality Management Services)
968 (Public Works and Related Services)	96	Water and Wastewater Treatment Services

DBE Compliance Standards

Entities receiving federal loan assistance through the SRF programs are required to remain in compliance with DBE requirements through all phases of the project including: Project Application Phase, Commitment Phase, Planning/Design Phase, and Construction Contract Phase(s).

Entities and prime contractors are encouraged to review the TWDB's DBE Compliance Policy (DW-099/CW-099) and requirements for compliance for each phase and the respective form(s). Entities and prime contractors are also reminded that a project bidders list is required by the U.S. EPA DBE program. The list must include all firms that bid or quote on subcontracts under EPA assisted projects, including both MBE/WBEs and non-MBE/WBEs. The bidders list must be kept until the grant project period has expired and the recipient is no longer receiving EPA funding under the loan. For entities receiving identified loans, the bidders list must be kept until the project period for the identified loan has ended (See form TWDB-0216)

Additionally, backup documentation supporting the solicitation methods utilized must be included with the forms to determine if DBE requirements were met. Entities and prime contractors should make certain that the required DBE language is included in the solicitation prior to advertisement. Copies of the RFQ, advertisement/affidavit, pre-bid meetings, fax/email/letter correspondence, website postings, and governmental/trade publications are all examples of adequate backup to determine if a "Good Faith Effort" was undertaken.

Due to U.S. EPA DBE program reporting requirements, the TWDB requests that all information on form TWDB-0373 be completed as accurate as possible, including exact contract amounts, MBE/WBE status, and executed dates. Entities and Prime Contractors seeking to utilize MBE/WBE contractors must include the respective firm's certification with form TWDB-0373 for validation. Once reviewed, TWDB staff reports MBE/WBE contractor utilization for each federal program on a quarterly basis.

It is important for the Entity and Prime Contractor to coordinate closely During the Construction Contract phase to ensure that all DBE requirements have been met throughout all construction phases to avoid project delays or loan commitment expiration deadlines.

Contract Administration Requirements

Each procurement contract signed by an EPA financial assistance agreement recipient, including those for an identified loan under an EPA financial assistance agreement capitalizing a revolving loan fund, must include the following term and condition:

Appendix A to Part 33—Term and Condition

The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.

Additionally, the following U.S. EPA DBE regulations apply:

- (a) A recipient must require its prime contractor to pay its subcontractor for satisfactory performance no more than 30 days from the prime contractor's receipt of payment from the recipient.*
- (b) A recipient must be notified in writing by its prime contractor prior to any termination of a DBE subcontractor for convenience by the prime contractor.*
- (c) If a DBE subcontractor fails to complete work under the subcontract for any reason, the recipient must require the prime contractor to employ the six good faith efforts described in § 33.301 if soliciting a replacement subcontractor.*
- (d) A recipient must require its prime contractor to employ the six good faith efforts even if the prime contractor has achieved its fair share objectives.*

DBE Program Regulations

TWDB DBE Program Webpage:

<http://www.twdb.state.tx.us/financial/programs/DBE/dbe.asp>

DBE Final Rule (40 CFR Parts 30, 31, 33, 35, and 40):

<http://www.epa.gov/osbp/pdfs/dbe/final%20dbe%20rule.pdf>

MBE/WBE Certification Fact Sheet:

http://www.epa.gov/osbp/pdfs/dbe/mbe_wbe_certification.pdf

Glossary

Construction means erection, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, or other improvements to real property, and activities in response to a release or a threat of a release of a hazardous substance into the environment, or activities to prevent the introduction of a hazardous substance into a water supply.

Disadvantaged business enterprise (DBE) means an entity owned or controlled by a socially and economically disadvantaged individual as described by Public Law 102–389 (42 U.S.C. 4370d) or an entity owned and controlled by a socially and economically disadvantaged individual as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note); a Small Business Enterprise (SBE); a Small Business in a Rural Area (SBRA); or a Labor Surplus Area Firm (LSAF), a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.

Equipment means items procured under a financial assistance agreement as defined by applicable regulations (for example 40 CFR 30.2 and 40 CFR 31.3) for the particular type of financial assistance received.

Good faith efforts means the race and/ or gender neutral measures described in subpart C of this part.

Minority business enterprise (MBE) means a Disadvantaged Business Enterprise (DBE) other than a Small Business Enterprise (SBE), a Labor Surplus Area Firm (LSAF), a Small Business in Rural Areas (SBRA), or a Women’s Business Enterprise (WBE).

Recipient means an entity that receives an EPA financial assistance agreement or is a sub-recipient of such agreement, including loan recipients under the Clean Water State Revolving Fund Program, Drinking Water State Revolving Fund Program, and the Brownfields Cleanup Revolving Loan Fund Program.

Services means a contractor’s labor, time or efforts provided in a manner consistent with normal business practices which do not involve the delivery of a specific end item, other than documents (*e.g.*, reports, design drawings, specifications).

Supplies means items procured under a financial assistance agreement as defined by applicable regulations for the particular type of financial assistance received.

Women’s business enterprise (WBE) means a business concern which is at least 51% owned or controlled by women for purposes of EPA’s 8% statute or a business concern which is at least 51% owned and controlled by women for purposes for EPA’s 10% statute. Determination of ownership by a married woman in a community property jurisdiction will not be affected by her husband’s 50 percent interest in her share. Similarly, a business concern which is more than 50 percent owned by a married man will not become a qualified WBE by virtue of his wife’s 50 percent interest in his share.

TWDB-0216

**TEXAS WATER DEVELOPMENT BOARD
AFFIRMATIVE STEPS SOLICITATION REPORT**

I. PROJECT INFORMATION

A. TWDB Project No.	B. Applicant/Entity Name	C. Total TWDB Funding Request	D. Program Type (insert "X" for all that apply)	
			<input type="checkbox"/>	Drinking Water SRF (DWSRF)
			<input type="checkbox"/>	Clean Water SRF (CWSRF)

Project Name: _____

Solicitation By: Applicant/Entity Prime Contractor: _____

Project Phase: Application Planning/Design Construction Contract # _____

II. PROJECT BIDDERS LIST:

Instructions Columns 1 - 4	List on this form, or provide on a separate list, each business entity solicited for procurement, the following: 1-Full business name & point of contact, 2-business address, 3-telephone number and 4-email for each business or firm. Entities must solicit to a minimum of 3 business/firms for each type of contract sought (i.e. three engineering, financial advisor, and bond counsel firms) to demonstrate a Good Faith Effort .
Instructions Column 5	Enter one of the following procurement or contract categories: CONSTRUCTION – SUPPLIES – EQUIPMENT – SERVICES
Instructions 6	Enter the type of business: Minority Business Enterprise (MBE), Women-Owned Business Enterprise (WBE), or OTHER (NOTE! "OTHER" = Company or firm is Non-MBE or WBE)
Instructions Column 7	To achieve a "Good Faith Effort" a minimum of two methods must be utilized for solicitation, however, additional methods are encouraged by the TWDB should any of the attempted methods fail to meet DBE program requirements. Adequate backup documentation must be attached to this form for each method used. Methods of solicitation include: <ol style="list-style-type: none"> 1. Newspaper Advertisements 2. Direct Contact by Phone, Fax, USPS Mail, E-mail 3. Meetings or Conferences 4. Minority Media 5. Internet & Web Postings 6. Trade Association Publications 7. Other Government Publications

Notice: Entities receiving federal SRF loans must create and maintain a bidder's list if the recipient of the loan is subject to competitive bidding requirements. The list must include all firms that bid or quote on subcontracts under EPA assisted projects, including both MBE/WBEs and non-MBE/WBEs. Entities must keep the bidders list until the project is complete, the project period has expired, and the recipient is no longer receiving EPA funding under the loan.

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Business Name & Point of Contact	Business Address	Telephone Number	E-Mail Address	Procurement Category	MBE/WBE Status	Solicitation Methods
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							

Use additional sheets if necessary

Signature - Applicant/Entity or Prime Contractor	Title	Certification Date

III. TWDB APPROVAL SIGNATURE

Form meets DBE Requirements	Yes <input type="checkbox"/>	No <input type="checkbox"/>
DBE Coordinator	Approval Date	

TWDB-0217

**TEXAS WATER DEVELOPMENT BOARD (TWDB)
AFFIRMATIVE STEPS CERTIFICATION and GOALS**

I. PROJECT INFORMATION

A. TWDB Project No.	B. Applicant/Entity Name	C. Total TWDB Funding Request	D. Program Type (insert "X" for all that apply)	
			<input type="checkbox"/>	Drinking Water SRF DWSRF)
			<input type="checkbox"/>	Clean Water SRF (CWSRF)

Prime Contractor: _____

Contract Number: _____ Contract Amount: _____

II. GOOD FAITH EFFORT (Applicable to all sub-agreements awarded by the prime contractor)

I understand that it is my responsibility to comply with all state and federal regulations and guidance in the utilization of Minority and Women-Owned Businesses in procurement. I certify that I will make a "good faith effort" to afford opportunities for Minority Business Enterprise (MBE), and Women-Owned Business Enterprise (WBE) by:		
1	Including qualified MBEs and WBEs on procurement solicitation lists	
2	Soliciting potential MBE's and WBE's	
3	Reducing contract size/quantities when economically feasible to permit maximum participation by MBE's and WBE's	
4	Establishing delivery schedules to encourage participation by MBE's and WBE's	
5	Using the services and assistance of the Small Business Administration, Minority Business Development Agency, U.S. Department of Commerce, and Texas Marketplace	
6	Submitting documentation to the Texas Water Development Board to verify good faith effort, steps 1-5.	
<input type="checkbox"/>	EXCEPTION: As the Prime Contractor, I certify that I have reviewed the contract requirements and found no available subcontracting opportunities. I also certify that I will fulfill 100 percent of the contract requirements with my own employees & resources. (Check if applicable)	
	Signature – Consultant/Prime Contractor	Title
		Certification Date

III. PROJECT PARTICIPATION ESTIMATES

Total Procurement		Potential MBE Participation		Potential WBE Participation	
Cost Category	Total	Goal	Extension	Goal	Extension
Construction	\$	12.94%	\$	8.72%	\$
Equipment	\$	7.12%	\$	5.39%	\$
Supplies	\$	9.68%	\$	9.34%	\$
Services	\$	10.84%	\$	5.72%	\$
Total Procurement (must equal contract amount)	\$		\$		\$

The fair share goals listed above are required by 40 CFR Part 33 Subpart D and are directly negotiated with EPA Region 6. Entities receiving federal financial assistance are subject to the TWDB's goals and may not be substituted with other agency or program goals.

IV. TWDB APPROVAL SIGNATURE

Form Meets DBE Requirements	Yes <input type="checkbox"/>	No <input type="checkbox"/>
DBE Coordinator	Approval Date	

TWDB-0373

**TEXAS WATER DEVELOPMENT BOARD
LOAN/PRINCIPAL FORGIVENESS PARTICIPATION SUMMARY**

I. PROJECT INFORMATION

A. TWDB Project No.	B. Applicant/Entity Name	C. Total TWDB Funding \$ _____	D. Program Type (insert "X" for all that apply)	
			<input type="checkbox"/>	Drinking Water SRF (DWSRF)
			<input type="checkbox"/>	Clean Water SRF (CWSRF)

Project Name: _____

Solicitation By: Applicant/Entity Prime Contractor: _____

Project Phase: Loan Commitment/Closing Planning/Design Construction Contract # _____

II. LIST OF ACTUAL CONTRACTS/PROCUREMENTS

Instructions Column 1	Enter the full name, street address, city/state/zip for each firm awarded a contract for the project					
Instructions Column 2	Enter one of the following procurement or contract categories: CONSTRUCTION – SUPPLIES – EQUIPMENT – SERVICES					
Instructions Column 3	Enter the type of business: Minority Business Enterprise (MBE), Women-Owned Business Enterprise (WBE), or OTHER (NOTE: "OTHER" = Company or firm is Non-MBE or WBE)					
Instructions Column 4	Enter the exact amount of the awarded contract					
Instructions Column 5	Enter the exact date the contract was or will be executed					
Instructions Column 6	Indicate if valid MBE/WBE Certification is attached					
	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Name & Address of Contracted Firm/Vendor	Procurement Category	MBE/WBE Status	Actual Contract Awarded (\$)	Contract Execution Date	MBE/WBE Certification Included? (Y/N) (if applicable)
1						<input type="checkbox"/> Yes <input type="checkbox"/> No
2						<input type="checkbox"/> Yes <input type="checkbox"/> No

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Name & Address of Contracted Firm/Vendor	Procurement Category	MBE/WBE Status	Actual Contract Awarded (\$)	Contract Execution Date	MBE/WBE Certification Included? (Y/N) (if applicable)
3						<input type="checkbox"/> Yes <input type="checkbox"/> No
4						<input type="checkbox"/> Yes <input type="checkbox"/> No
5						<input type="checkbox"/> Yes <input type="checkbox"/> No
6						<input type="checkbox"/> Yes <input type="checkbox"/> No
7						<input type="checkbox"/> Yes <input type="checkbox"/> No
8						<input type="checkbox"/> Yes <input type="checkbox"/> No
9						<input type="checkbox"/> Yes <input type="checkbox"/> No
Signature - Applicant/Entity Representative			Title			Certification Date

III. TWDB APPROVAL SIGNATURE

Form meets DBE Requirements	Yes <input type="checkbox"/> No <input type="checkbox"/>
DBE Coordinator	Approval Date

SITE CERTIFICATE

This is to certify that the _____

(Legal Name of Applicant, i.e., City, District, etc.)

has now acquired, taken bona fide options on, or initiated formal condemnation proceedings against all property (sites, easements, rights-of-way, or specific use permits) necessary for construction, operation and maintenance of wastewater facilities described as

(Proposed Contract No. and Description)

in accordance with plans and specifications approved by the Texas Water Development Board. Any deeds or documents required to be recorded to protect the title(s) held by

(Legal Name of Applicant)

have been recorded or filed for record wherever necessary.

In the event of conflicts with existing underground utilities, or to preserve unknown cultural or historic resources, the _____

(Name of Applicant)

has the right of eminent domain and will take condemnation action, if necessary, to acquire any sites, easements or rights-of-way which may be required to change the location of any of the facilities described above; and upon acquisition of the rights-of-way and recording of documents, will submit another site certificate to that effect.

EXECUTED this _____ day of _____, 20__ .

(Signature)

(Title)

NOTE: This certificate MUST BE EXECUTED BY AN ATTORNEY OR AN ABTRACTOR qualified to evaluate the Applicant's interest in the site and make such a determination.