



SAN ANTONIO WATER SYSTEM
WATER PRODUCTION FACILITIES DISINFECTION SYSTEM UPGRADES PROJECT

SAWS Job No. 12-6004
 SAWS Solicitation No. B-14-042-DD

ADDENDUM NO. 3
 August 14, 2014

To Respondent of Record:

This addendum, applicable to work 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 and issue date in the space provided in submitted copies of the proposal.

A. Modifications to the Specifications

1. Supplementary Instructions to Respondents

Replace this section with the attached. On-Site Sodium Hypochlorite Generation System experience requirement updated from five to ten years.

2. Supplemental Conditions

Add the following:

"ARTICLE V. CONTRACT RESPONSIBILITIES:

Section 5.7.1.6 Excess/Umbrella Liability, remove and replace the first paragraph with the following:

"Excess/Umbrella Liability (UL) insurance shall have minimum policy limits of \$5,000,000 per occurrence and \$5,000,000 in the aggregate. This policy shall be of an "Occurrence" type and the limit of liability shall be concurrent with (following form) and in excess of the EL, CGL and AL lines of insurance coverage as described in Articles 5.7.1.1.2, 5.7.1.1.3, and 5.7.1.1.5 listed above."

Add the following to Paragraph 5.7.1.8, Builder's Risk Insurance:

"Contractor shall also carry Rigger's Liability with limits equal to or greater than the highest valued item." "

The remainder of the section remains the same.

3. Section 01 79 23 Instruction of Operations and Maintenance Personnel

Replace Table 01 79 23-A with the following:

TABLE 01 79 23-A, TRAINING SUMMARY TABLE

Equipment	Specification Section	Total Training Time (hours)	Training Sessions Required		
			Operations	Mechanic Maint.	Instrument Maint.

On-Site Sodium Hypochlorite Generation System – Operation, Maintenance and Trouble Shooting	46 31 11	32	2 sessions - 4 days, 4 hours/day, each	2 sessions - 4 days, 4 hours/day, each	2 sessions - 4 days, 4 hours/day, each
On-Site Sodium Hypochlorite Generation System - During 30-day operational test Real Time Training	46 31 11	48	2 sessions - (Three days, 8 hrs/day) during Remote Manual Mode; Three 8 hr days during Remote Auto Mode)	2 sessions - (Three days, 8 hrs/day) during Remote Manual Mode; Three 8 hr days during Remote Auto Mode)	2 sessions - (Three days, 8 hrs/day) during Remote Manual Mode; Three 8 hr days during Remote Auto Mode)
Peristaltic Metering Pumps	46 33 44	24	2 (4 hours per session)	2 (4 hours per session)	2 (4 hours per session)
Total		104	6	6	6

3. Part I – Contract Documents

Add the attachment, “Texas Water Development Board American Iron and Steel (AIS) Guidance for Clean Water & Drinking Water State Revolving Fund Projects”.

4. Section 05 50 13, Miscellaneous Metal Fabrications

Replace 1.1.A.1 as follows:

“CONTRACTOR shall provide all professional services, labor, materials, equipment, and incidentals as shown, specified, and required to furnish miscellaneous metal fabrications including surface preparation and shop priming.”

Add 1.4.B.3 as follows:

“3. Delegated Design Submittals:

a. Design Data:

1) Design computations for design of required systems, signed and sealed by professional engineer registered in the same state as the Site.”

Replace 2.2.B.1 as follows:

“1. Fabricate ladders for locations shown or indicated with dimensions, spacing, details, and anchorages as shown and specified. All ladders, appurtenances and fastenings shall be designed and fabricated to meet the load and detailing requirements of OSHA 29 CFR 1910 and ANSI A14.3, except as otherwise shown or specified.”

5. Section 40 05 53, Valves Four-Inches and Larger

Add Paragraph 2.3:

“2.3 FIRE HYDRANTS

A. Products and Manufacturers: Provide one of the following:

- 1. Mueller, Model: Super Centurion.**
- 2. Kennedy, Model: Guardian K81D.**
- 3. Or equal.**

- B. General:**
1. *Provide fire hydrants conforming to AWWA C502, Underwriters' Laboratories-listed and Factory Mutual approved, and as specified herein.*
 2. *Rated Working Pressure: 175 psig, minimum.*
 3. *Rated Hydrostatic Test Pressure: 400 psig, minimum.*
 4. *Length of Bury: 10 feet.*
- C. Construction:**
1. *Type: Three-way fire hydrants with two hose nozzles and one pumper nozzle.*
 2. *Nozzles:*
 - a. *Provide one 4.5-inch diameter pumper nozzle and two 2.5-inch diameter hose nozzles with NFPA threads.*
 - b. *Nozzles shall be O-ring sealed, threaded, and retained with stainless steel locks. Nozzles shall be field replaceable.*
 3. *Main Valve and Drainage Assembly:*
 - a. *Opening: 5.25-inch diameter.*
 - b. *Main valve shall be compression type provided with upper and lower metal plates and lower valve plate nut.*
 - c. *Barrel drainage shall be through dual drain valves. Opening and closing of main valve shall cause force-flush of dual drain ports.*
 - d. *Main valve seat ring shall be easily replaceable from above-ground.*
 4. *Provide an oil filled reservoir for lubrication of stem threads and bearing surfaces. Oil shall be U.S. Food and Drug Administration approved and ANSI/NSF 61-listed, and shall flow freely in temperature range of -60 to 158 degrees F.*
 5. *Provide traffic flange in barrel and safety coupling in stem.*
 6. *Inlet Connection: Six-inch diameter mechanical joint, restrained.*
- D. Materials of Construction: Materials of construction shall conform to the requirements of AWWA C502 and shall be as follows:**
1. *Upper and Lower Barrels, Shoe, and Bonnet: Cast-iron.*
 2. *Stem and Accessories:*
 - a. *Upper and Lower Stems: Steel.*
 - b. *Operating Nut: Bronze.*
 - c. *Safety Coupling: Stainless steel.*
 3. *Nozzles:*
 - a. *Pumper and Hose Nozzles: Bronze.*
 - b. *Nozzle Caps: Cast-iron.*
 - c. *Cap Chains: Steel.*
 4. *Main Valve Assembly:*
 - a. *Main Valve: Rubber.*
 - b. *Upper Valve Plate: Bronze.*
 - c. *Lower Valve Plate and Nut: Cast-iron.*
 5. *Drain Valves:*
 - a. *Drain Ring Housing: Cast-iron.*
 - b. *Drain Ring: Bronze.*
 6. *O-ring Gaskets: Rubber.*
 7. *External Assembly Bolts: Steel.*

8. *Internal Pins and Other Hardware: Stainless steel, ASTM A276.*

E. *Testing:*

1. *Test each fire hydrant in manufacturer's shop in conformance with AWWA C502.*

F. *Interior Coating:*

1. *Hydrants shall be coated on the interior. Steel, cast-iron, and ductile iron surfaces, except machined surfaces, shall be epoxy coated in accordance with AWWA C550.*

G. *Exterior Painting:*

1. *Below- and above-ground painting shall be as specified under Article 2.27 of this Section and Article 2.28 of this Section."*

Replace Table 40 05 53-A with the following:

TABLE 40 05 53-A, SCHEDULE OF VALVES

Location	Type	Service	Line Size (in)	Valve Size (in)	Class	Operator (Man., Elec., Pneu.)	Maximum Normal Flow Through Valve (mgd)	Actuator (O/C or Mod.)
Sump Valve – Maltsberger	GV - RS	SS	4	4	200 psi, min	Man.	Varies	O/C
Sump Valve – Marbach	GV - RS	SS	4	4	200 psi, min	Man.	Varies	O/C
Sump Valve – Wurzbach	GV - RS	SS	4	4	200 psi, min	Man.	Varies	O/C
Potable Waterline Tie-in at Maltsberger Site (South of Tank)	GV-RS	PW	4	4	200 psi, min	Man.	Varies	O/C
Potable Waterline Tie-in at Maltsberger Site (North of Tank)	GV-RS	PW	4	4	200 psi, min	Man.	Varies	O/C

Potable Waterline Tie-in at Marbach Site	GV-RS	PW	4	4	200 psi, min	Man.	Varies	O/C
Potable Waterline Tie-in at Wurzbach Site	GV-RS	PW	4	4	200 psi, min	Man.	Varies	O/C
Fire Hydrant – Wurzbach Site	GV-RS	PW	6	6	200 psi, min	Man.	Varies	O/C

6. Section 46 31 11, On-Site Sodium Hypochlorite Generation System

Replace Paragraph 1.1.A as follows:

“A. Scope: The CONTRACTOR shall furnish an On-Site Hypochlorite Generation (OSHG) System to enable on-site production of a 0.8% (+/- 0.05%) sodium hypochlorite solution through the electrolysis of brine at three sites supplied by a single OSHG Manufacturer. The OSHG system includes two (2) hypochlorite generation skids, which will be installed at each site. Each Sodium Hypochlorite Generator Skid shall have integral piping, valves, system control panel with PLC, as well as ancillary equipment as specified herein.

1. *Each OSHG unit shall be furnished with all necessary accessory equipment including but not limited to:*
 - a. *OSHG skid*
 - b. *Integrated piping and valves*
 - c. *Control cabinet*
 - d. *Water softeners with hardness monitors*
 - e. *Brine pumps*
 - f. *Salt/brine tank*
 - g. *Hydrogen dilution blowers and air flow sensors*
 - h. *Hydrogen Detectors*
 - i. *Other auxiliary equipment.*
2. *The Sodium Hypochlorite Feed System metering pumps, including associated valves, accessories and pump controls, is specified elsewhere. Refer to Specification Section 46 33 44, Peristaltic Metering Pumps.*
3. *The Sodium Hypochlorite Storage Tanks are specified elsewhere. Refer to Specification Section 43 41 45, Fiberglass Reinforced Plastic Tanks.”*

Replace Paragraph 2.5.D.1 as follows:

1. *Manufacturer recommended/supplied DC power cable shall be furnished to connect transformer/rectifier to the sodium hypochlorite generator.”*

Replace Paragraph 2.9.A.3 as follows:

"3. The water softener system shall be designed, constructed and installed for the following design conditions:

WATER SOFTENER DESIGN CRITERIA			
<i>Parameter</i>	<i>Value</i>		
<i>Location</i>	<i>NaOCl Generation Room</i>		
<i>Type</i>	<i>Multiple Tank</i>		
<i>Source Water</i>	<i>Plant Finished Water</i>		
<i>Use</i>	<i>On-Site Hypochlorite Generation System</i>		
<i>Estimated Influent Hardness (mg/L as CaCO₃)</i>	<i>Maltsberger</i>	<i>Marbach</i>	<i>Wurzbach</i>
	310	232	288
<i>Maximum Chlorine Residual (mg/L)</i>	2		
<i>Flow Capacity (gpm)</i>	15		
<i>Pressure Range (psi)</i>	50-75		
<i>Temperature Range (degrees F)</i>	70-80		
<i>Estimated Effluent Hardness (mg/L as CaCO₃)</i>	< 10		

Replace Paragraph 3.5.I with the following:

"1. The OSHG Manufacturer shall provide real-time training during the 30-day operational test as described in Section 3.7."

Replace Paragraph 3.8A.1.d with the following:

"d. Instruct OWNER'S personnel in the operation and user maintenance of all components. Conduct two 4-day (4 hours per day) training seminars at the site. Training shall be in accordance with the requirements of 01 79 23, Instruction of Operations and Maintenance Personnel."

Add Paragraph 3.8.A.1.f as follows:

"f. Conduct 30 day operational test
1) Train OWNER's personnel during 30-day operational test.
2) Include one (1) additional day site visit to coincide with switching from "Remote Manual" to "Remote Automatic" mode."

Replace Paragraph 3.8.A.3 as follows:

"3. The representative shall make a minimum of five visits, minimum eight hours on site for each visit to the site. The first visit shall be for assistance in the installation of equipment. The second visit shall be for checking the completed installation and initial start-up of the system. The third visit shall be to test operate the system in the presence of ENGINEER and verify that the system is in conformance with the Contract Documents. The fourth visit shall be to conduct the 30-day operational test. The fifth visit shall be to observe switching from "Remote Manual" to "Remote Automatic" mode during the 30-day operational test."

7. Section 46 33 44, Peristaltic Metering Pumps

Add Paragraph 2.3.A.9:

"9. A revolution counter indicating the total number of revolutions shall be included on the pump."

B. Modifications to the Drawings

1. Sheet C-06

Replace the sheet with the attached.

- a. Add proposed sanitary sewer and temporary construction easements.

2. Sheet I-08

Replace the sheet with the attached.

- a. Add static mixer
- b. Add existing butterfly valve at Maltsberger Site
- c. Add Notes 5 and 6

3. Sheet I-09

Replace the sheet with the attached

- a. Add static mixer for Well 6 injection point
- b. Modify injection point representation

C. Questions and Answers

Q1. Is there a geotechnical report available for this project? I checked the project page on the SAWS website, but didn't see a report listed.

A1. A geotechnical report is not available and will not be provided by SAWS for this project.

Q2. BL Technology, Inc. would like to be added to the list of acceptable vendors for the above-listed project in the following categories:

- ASP – Application Systems Provider
- PCSI – Process Control Systems Integrator

A2. Bidders are encouraged to submit all of their qualifications with their Price Proposal by the date indicated on the Invitation for Competitive Sealed Proposals in order for SAWS to perform an appropriate review of the sealed proposals.

Each respondent is requested to acknowledge receipt of this Addendum No. 3 by his/her signature affixed hereto and to file same as an attachment to his/her proposal.

Stephanie Sue

Stephanie Sue, P.E.
Project Manager
ARCADIS U.S., Inc.
TBPE Firm No. F-533



The undersigned acknowledges receipt of this Addendum No. 2 and the proposal submitted herewith is in accordance with the information and stipulation set forth.

Date

Signature of Bidder

END OF ADDENDUM

SUPPLEMENTARY INSTRUCTIONS TO RESPONDENTS

This document provides general information about the requirements for this Request for Competitive Sealed Proposals (RFCSP) as set forth in the selection criteria and procedures for implementation.

The San Antonio Water System (SAWS) Board of Trustees has determined that the Competitive Sealed Proposals method of procurement will provide the best value for SAWS for this project. The selection of the contractor will be based on the criteria described below. All procurements shall conform to Section 2269 of the Texas Government Code.

A. EVALUATION OF PROPOSALS

1. SAWS will conduct a comprehensive, fair and impartial evaluation of all Competitive Sealed Proposals received in response to this request within 45 days of receipt of the proposals. SAWS will appoint a selection committee to perform the evaluation. SAWS will evaluate and rank each proposal in relation to the following selection criteria:

Background, Experience, Qualifications	30%
Project Approach, Safety & Quality Control	25%
Price	35%
Small, Minority, Women, Business Participation	<u>10%</u>

Total: 100%

2. SAWS expressly reserves the right to reject any or all proposals submitted, and to interpret any proposal ambiguities to SAWS' advantage.

B. REQUIRED EXPERIENCE

1. The work associated with this project requires knowledge and experience with site/civil improvements; building construction; electrical / instrumentation controls construction; and the construction of on-site sodium hypochlorite generation systems.
2. Respondent must have the following experience: Ten (10) years' experience in site/civil improvements; ten (10) years' experience with building construction; **ten (10)** years' experience with electrical / instrumentation controls construction; and **ten (10)** years' experience in constructing on-site sodium hypochlorite generation systems.

C. RESPONSE FORMAT

1. Background, Experience and Qualifications

During the evaluation process, SAWS will consider the following information from the Prime Contractor:

- a. Current business organizational structure, type of business structure, and

- stability of organization
- b. Debarment history
- c. Bond history
- d. Litigation history
- e. Number of years performing contracting/construction work under current business name and/or previous business name(s)
- f. Availability of equipment and facilities
- g. On-time completion history of past projects
- b. Provide an organizational chart of the PRIME CONTRACTOR'S CONSTRUCTION TEAM personnel that will be directly involved on this project to include the project manager, superintendent, project scheduler, quality control inspectors, safety coordinator, and any other key staff. Summarize the qualifications, licenses, certifications, and relevant experience for each team member identified, as it relates to the scope of work identified in this RFCSP.
- c. Provide a history of the PRIME CONTRACTOR'S record of on-time completion for other similar contracts, as well as identify any instances in which projects were not completed on time and the reason(s) for the delay.
- d. Provide a list of the PRIME CONTRACTOR'S initiated change orders over \$25,000 in the past five (5) years for contracts. Include a description and a reason for the change for each of the identified change orders.
- e. Provide a complete financial statement for the PRIME CONTRACTOR that was prepared within the last twelve (12) months, by an independent Certified Public Accountant.
- f. List and describe three (3) projects of similar size and scope performed by the CONSTRUCTION TEAM within the last **ten (10)** years that indicate a record of successful completion of site/civil improvements. Include the following:
 - Project name, location and description
 - Original and final construction cost
 - Name of Project Owner, who served as the day-to-day liaison during construction, with valid contact information to include email address and phone number
 - Name of Project Engineer, who served as the day-to-day liaison during construction, with valid contact information to include email address and phone number
 - Name of Project Superintendent
- g. List and describe three (3) projects of similar size and scope performed by the CONSTRUCTION TEAM within the last **ten (10)** years that indicate a record of successful completion of building construction. Include the following:
 - Project name, location and description
 - Original and final construction cost
 - Name of Project Owner, who served as the day-to-day liaison during construction, with valid contact information to include email address and phone number
 - Name of Project Engineer, who served as the day-to-day liaison during construction, with valid contact information to include email address and phone number
 - Name of Project Superintendent

- h. List and describe three (3) projects of similar size and scope performed by the CONSTRUCTION TEAM within the last **ten (10)** years that indicate a record of successful completion of electrical/instrumentation controls improvements. Include the following:
- Project name, location and description
 - Original and final construction cost
 - Name of Project Owner, who served as the day-to-day liaison during construction, with valid contact information to include email address and phone number
 - Name of Project Engineer, who served as the day-to-day liaison during construction, with valid contact information to include email address and phone number
 - Name of Project Superintendent
- i. List and describe three (3) projects of similar size and scope performed by the CONSTRUCTION TEAM within the last **ten (10)** years that indicate a record of successful completion of an on-site sodium hypochlorite generation facility installation. Include the following:
- Project name, location and description
 - Original and final construction cost
 - Name of Project Owner, who served as the day-to-day liaison during construction, with valid contact information to include email address and phone number
 - Name of Project Engineer, who served as the day-to-day liaison during construction, with valid contact information to include email address and phone number
 - Name of Project Superintendent

SAWS may contact references during any part of this process and reserves the right to contact any other references any time during the evaluation process.

2. Project Approach, Safety & Quality Control

- a. Describe your proposed work plan for this project.
- b. Describe your FIRM's construction management approach and ability to coordinate work with all subcontractors and suppliers in order to meet the contract completion time.
- c. Describe your FIRM's ability to identify and resolve potential issues, or unanticipated delays, as well as provide a proposed schedule recovery plan for this project.
- d. Describe your FIRM's internal quality control program, including proposed methods that will be used to ensure quality control for this project.
- e. Provide the following Occupation Safety Health Administration (OSHA) documents for your FIRM for the last three (3) years:
- OSHA 300 – Log of Work Related Injuries and Illnesses
 - OSHA Form 300A – Summary of Work Related Injuries and Illnesses
 - Total Recordable Incident Rate (TRIR)
 - Any OSHA citations issued
 - Experience Modifier Rate (EMR) from FIRM's insurance carrier

D. PRICE

The Proposal with the lowest price total will receive thirty (30) of the available thirty-five (35) points. All other proposals will receive a percentage of the thirty (30) points based on a comparison with the lowest priced proposal.

Example:

Proposal	Amount	Calculation	Points Earned
A	450,000	$(250,000/450,000) \times 30$	16.67
B	300,000	$(250,000/300,000) \times 30$	25
C	250,000	$(250,000/250,000) \times 30$	30

The remaining five (5) points will be available for proposals that meet or are less than the estimated construction cost. The points will be distributed as follows:

- >15% below the estimated construction cost = five (5) points
- 14.99% - 11% below the estimated construction cost= four (4) points
- 10.99% -7% below the estimated construction cost = three (3) points
- 6.99% - 3% below the estimated construction cost = two (2) points
- 2.99 % or 0% below the estimated construction cost = one (1) point

E. SMALL, MINORITY, WOMEN, BUSINESS PARTICIPATION

Respondents for Competitive Sealed Proposals are required to make good faith efforts to meet or exceed the goal for SMWB participation. The SMWB goal for this project is **17%**. The weight for SMWB participation will be **ten (10) points** out of the total 100 points. The Respondents commitment to SAWS SMWB policy will be based on the following evaluation criteria.

1. Small, Minority, Woman Business (SMWB) status of the prime-five (5) point maximum:

- If the prime contractor is a certified SMWB, and a Good Faith Effort Plan (GFEP) is completed, five (5) points will be awarded.
- If the prime contractor is not a certified SMWB, and a GFEP is completed, points will be awarded based on the total participation percent of their SMWB sub contractors. This percent is multiplied by 10. For example, if the prime contractor satisfies the goal of 17%, the score is $17 \times 10 = 1.7$. This total shall not exceed five (5) points.

2. Good Faith Effort Plan (GFEP) Compliance – five (5) points maximum:

- If the prime contractor is a certified SMWB, and there is SMWB subcontractor participation, they will receive an additional two (2) points,

with additional points based on the SMWB sub-contractor participation levels as follows:

- o Sub-participation totals 13% - 17% = three (3) points
- o Sub-participation totals 6% - 12.99% = two (2) points
- o Sub-participation totals 5.99% or less = one (1) point

- If the prime is not an SMWB, points will be awarded as follows:
 - If the SMWB goal of 17% is met or exceeded on the GFEP, five (5) points will be awarded.
 - If the goal of 17% is not met, but the prime contractor clearly demonstrates that an effort was made to meet the goal, the following points will be awarded based on the total participation percent of their SMWB subs as follows:
 - o Sub-participation totals 14% - 16% = four (4) points
 - o Sub-participation totals 11% - 13.99% = three (3) points
 - o Sub-participation totals 8% - 10.99% = two (2) points
 - o Sub-participation totals 7.99% or less = one (1) point

3. Good Faith Effort Plan (GFEP) Non-Compliance:

- If a GFEP is submitted, but no clear attempt was made to meet the SMWB goal, no points will be awarded.
- If a GFEP is not submitted, the proposal may be considered non-responsive.

Proof of SMWB certification i.e., a valid Certification Affidavit from the South Central Texas Regional Certification Agency (SCTRCA) or equivalent for both prime and sub-contractors must be submitted.

F. FORMAT OF PROPOSALS

1. Proposals shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFCSP. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of SAWS needs.
2. Proposals shall be a MAXIMUM OF **FIFTY (50)** PRINTED PAGES. The cover, table of contents, divider sheets, financial statement, Good Faith Effort Plan, Price Proposal, and any other required documents will not count as printed pages.
3. Proposals shall be submitted in two (2) separate envelopes 1) Qualifications (original submittal and 7 copies), and 2) Pricing in a single sealed envelope.
4. Respondents shall carefully read the information contained in this RFCSP and

submit a complete response to all requirements and questions as directed. Incomplete Proposals will be considered non-responsive and subject to rejection.

5. Proposals and any other information submitted by respondents in response to this RFCSP shall become the property of SAWS.
6. Proposals shall be printed on letter-size 8-1/2" x 11" paper and assembled with spiral-type bindings or staples. DO NOT USE METAL-RING HARD COVER BINDERS.
7. Separate and identify each criteria response of this RFCSP by use of a divider sheet with an integral tab for ready reference.
8. Proposals shall include the "Respondent's Proposal Checklist" provided in this solicitation and provide page numbers for each part of the Qualifications portion of the submittal.
9. Proposals shall include one copy on compact disc (CD) in .pdf format in addition to the required number of hard copies. The CD shall contain the entire proposal package as submitted, excluding the financial statement and Price Proposal, and should be encased in a paper CD envelope, clearly marked with the RFCSP information.



**American Iron and Steel (AIS)
Guidance for
Clean Water & Drinking Water
State Revolving Fund Projects**

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Overview

It is the intent of the Texas Water Development Board (TWDB) to ensure that applicants, consultants and contractors are provided with procedures and recommendations for implementation of the American Iron and Steel (AIS) provisions of P.L. 113-76 Consolidated Appropriations Act, 2014, for construction projects receiving financial assistance from the Drinking Water State Revolving Fund (DWSRF) or Clean Water State Revolving Fund (CWSRF).

The AIS provisions require CWSRF and DWSRF assistance recipients to use iron and steel products that are produced in the United States for projects for the construction, alteration, maintenance, or repair of a public water system or treatment works if the project is funded through a TWDB CWSRF or DWSRF loan executed beginning January 17, 2014. The U.S. Environmental Protection Agency (EPA) has provided a memorandum dated March 20, 2014 that explains how EPA will implement the AIS requirements, which is attached hereto, as **ATTACHMENT 1**.

Please contact TWDB with any questions regarding applicability of AIS requirements for specific projects or products. Additional information for EPA State Revolving Fund American Iron and Steel Requirements can be found at (http://water.epa.gov/grants_funding/aisrequirement.cfm).

Covered Iron and Steel Products

AIS requirements apply to all parts of a project closing on financial assistance for construction from CWSRF or DWSRF projects on or after January 17, 2014, regardless of the funding source purchasing the iron or steel product. AIS requirements apply to the following products made primarily of iron or steel, permanently incorporated into the public water system or treatment works:

- Lined or unlined pipes or fittings;
- Manhole Covers;
- Municipal Castings;
- Hydrants;
- Tanks;
- Flanges;
- Pipe clamps and restraints;
- Valves;
- Structural steel;
- Reinforced precast concrete; and
- Construction materials.

Mechanical and electrical components, equipment, and systems are not considered iron and steel products, and are exempt from AIS requirements. Mechanical equipment is typically that which has motorized parts and/or is powered by a motor. Electrical equipment is typically any machine powered by electricity and includes components that are part of the electrical distribution system.

Waivers

AIS provisions permit EPA to issue waivers for a case or category of cases where EPA finds (1) that applying these requirements would be inconsistent with the public interest; (2) iron and steel products are not produced in the US in sufficient and reasonably available quantities and of a satisfactory quality; or (3) inclusion of iron and steel products produced in the US will increase the cost of the overall project by more than 25 percent.

EPA has granted the following nationwide waivers, which are attached hereto as **ATTACHMENT 2**:

- Projects where engineering specifications and plans were approved by a State agency prior to January 17, 2014, are exempt from AIS requirements.
- The De Minimis waiver permits the use of products when they occur in de minimis incidental components to the project. Funds used for de minimis incidental components cumulatively may not exceed 5% of the total cost of the materials used in and incorporated into the project; the cost of an individual item may not exceed 1% of the total cost of materials used in and incorporated into the project.

Waiver Process

EPA has implemented a waiver application process to allow the State, on behalf of the applicant, to apply for waivers of the AIS requirement directly to EPA Headquarters. Only waiver requests received from the State will be considered. A waiver application may be submitted at any time during the project, however until a waiver is granted by EPA, the AIS requirement stands.

In order to apply for a project waiver, the assistance recipient should email the request in the form of a Word document (.doc) to the TWDB project engineer. Proper and sufficient documentation must be provided by the assistance recipient.

After receiving an application for waiver of the AIS requirements, EPA Headquarters will publish the request on its website for 15 days and receive informal comment. EPA Headquarters will then determine whether the application properly and adequately documents and justifies the statutory basis cited for the waiver – that it is quantitatively and qualitatively sufficient – and to determine whether or not to grant the waiver. EPA will notify TWDB that a waiver request has been approved or denied as soon as such a decision has been made. Approved waivers will be posted on the EPA website. The applicant should keep a copy of the signed waiver in their AIS Certification File.

Compliance

In order to ensure compliance with the AIS requirement, specific AIS contract language must be included in each contract, starting with the TWDB CWSRF or DWSRF Loan Commitment all the way down to the construction material purchase agreements. The Applicant should be aware of the AIS provisions within the TWDB commitment resolution.

It is the Applicants responsibility to assure that all construction and purchase contracts are executed in compliance with AIS, and a record of all forms and certifications necessary to demonstrating compliance with AIS is maintained. To demonstrate compliance with AIS requirements either the

final manufacturer that delivers the iron or steel product to the worksite, vendor, or contractor, may provide a certification asserting that all manufacturing processes occurred in the United States, or the Applicant may use step certification process, similar to the Federal Highway Administration. The applicant is also responsible for monitoring de minimis logs to assure all iron and steel products listed on the log meet the requirements of the EPA's de minimis waiver.

TWDB relies on self-certification by the Applicant to document compliance with AIS, and requires the applicant to submit a Monthly American Iron and Steel Certificate of Compliance Submittal with each outlay report. Failure to submit the Monthly American Iron and Steel Certificate of Compliance could delay the release of funds.

TWDB Compliance Procedures

In order to be in compliance and satisfy TWDB's requirements for implementation of AIS requirements, entities will need to do the following:

1. The applicant shall prepare any waiver request and submit them to the TWDB project engineer. TWDB will forward all requests to EPA. Any waiver to the AIS requirements must be issued by the EPA. A checklist detailing the types of information required for a waiver to be processed, and EPA's waiver determination checklist is attached as **ATTACHMENT 3**.
2. Applicants shall include the following language in the advertisement for bids for all construction contracts funded by the TWDB's DWSRF or CWSRF:
"Any contract(s) awarded under this Invitation for Bids is/are subject to the American Iron and Steel (AIS) requirements of P.L. 113-76 Consolidated Appropriations Act, 2014."
3. Applicants shall include the AIS requirements in all construction contracts, which are attached hereto as **ATTACHMENT 4**.
4. Applicants shall include the following language on the General Notes Plan Sheet(s).
"This project is subject to the American Iron and Steel (AIS) requirements of P.L. 113-76 Consolidated Appropriations Act, 2014. All iron and steel products for construction, alteration, maintenance, or repairs incorporated in these plans must be produced in the United States"
5. The applicant must obtain certifications from the final manufacturer that delivers the iron and steel product to the worksite, vendor, or contractor asserting that all manufacturing processes occurred in the United States.
6. The prime construction contractor and applicant will be required to maintain a certification file, approved waivers, and de minimis log that is available for review by TWDB representatives. (Sample Certification letters, step certification log, and de minimis log are included in **ATTACHMENT 5**).
7. The applicant must submit a Monthly American Iron and Steel Certificate of Compliance Submittal with each outlay report, attached hereto as **ATTACHMENT 6**.

8. The applicant will provide a letter of certification, after the completion of the construction contract and prior to issuance of a Certificate of Approval by the TWDB, stating the project was completed in compliance with the AIS requirements.

Recommendations and Best Management Practices

The following recommendations are not required but should be considered by the Applicant in implementation of the AIS requirements:

1. AIS requirements should be addressed in the engineering feasibility study to determine availability of AIS products, and determine if any requests for waivers need to be initiated.
2. While a waiver application may be submitted at any time during the project, the applicant should consider EPA's review schedule (15 day comment period plus review time) when scheduling projects. It is not recommended to request a waiver after the advertisement for bids or start of construction unless absolutely necessary.
3. Develop procedures for maintaining a record of AIS documentation.
4. Distinguish separate bid items that must comply with AIS requirements on the Bid Form.
5. Consideration of AIS compliance documentation when developing the contractor submittal procedures for shop drawings, material lists, and manufacturer certifications, etc.
6. Discuss AIS requirements during pre-bid conference and pre-construction meetings, to address contractor's responsibilities, and availability of iron and steel products needed to complete the project.

Attachment 1: EPA Memorandum on Implementation of AIS



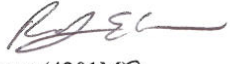
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

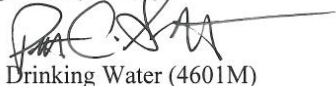
MAR 20 2014

OFFICE OF WATER

MEMORANDUM

SUBJECT: Implementation of American Iron and Steel provisions of P.L. 113-76, Consolidated Appropriations Act, 2014

FROM: For Andrew D. Sawyers, Director 
Office of Wastewater Management (4201M)

Peter C. Grevatt, Director 
Office of Ground Water and Drinking Water (4601M)

TO: Water Management Division Directors
Regions I - X

P.L. 113-76, Consolidated Appropriations Act, 2014 (Act), includes an "American Iron and Steel (AIS)" requirement in section 436 that requires Clean Water State Revolving Loan Fund (CWSRF) and Drinking Water State Revolving Loan Fund (DWSRF) assistance recipients to use iron and steel products that are produced in the United States for projects for the construction, alteration, maintenance, or repair of a public water system or treatment works if the project is funded through an assistance agreement executed beginning January 17, 2014 (enactment of the Act), through the end of Federal Fiscal Year 2014.

Section 436 also sets forth certain circumstances under which EPA may waive the AIS requirement. Furthermore, the Act specifically exempts projects where engineering plans and specifications were approved by a State agency prior to January 17, 2014.

The approach described below explains how EPA will implement the AIS requirement. The first section is in the form of questions and answers that address the types of projects that must comply with the AIS requirement, the types of products covered by the AIS requirement, and compliance. The second section is a step-by-step process for requesting waivers and the circumstances under which waivers may be granted.

Implementation

The Act states:

Sec. 436. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) or made available by a drinking water treatment revolving loan fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the “Administrator”) finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) This section does not apply with respect to a project if a State agency approves the engineering plans and specifications for the project, in that agency’s capacity to approve such plans and specifications prior to a project requesting bids, prior to the date of the enactment of this Act.

The following questions and answers provide guidance for implementing and complying with the AIS requirements:

Project Coverage

1) What classes of projects are covered by the AIS requirement?

All treatment works projects funded by a CWSRF assistance agreement, and all public water system projects funded by a DWSRF assistance agreement, from the date of enactment through the end of Federal Fiscal Year 2014, are

covered. The AIS requirements apply to the entirety of the project, no matter when construction begins or ends. Additionally, the AIS requirements apply to all parts of the project, no matter the source of funding.

2) Does the AIS requirement apply to nonpoint source projects or national estuary projects?

No. Congress did not include an AIS requirement for nonpoint source and national estuary projects unless the project can also be classified as a ‘treatment works’ as defined by section 212 of the Clean Water Act.

3) Are any projects for the construction, alteration, maintenance, or repair of a public water system or treatment works excluded from the AIS requirement?

Any project, whether a treatment works project or a public water system project, for which engineering plans and specifications were approved by the responsible state agency prior to January 17, 2014, is excluded from the AIS requirements.

4) What if the project does not have approved engineering plans and specifications but has signed an assistance agreement with a CWSRF or DWSRF program prior to January 17, 2014?

The AIS requirements do not apply to any project for which an assistance agreement was signed prior to January 17, 2014.

5) What if the project does not have approved engineering plans and specifications, but bids were advertised prior to January 17, 2014 and an assistance agreement was signed after January 17, 2014?

If the project does not require approved engineering plans and specifications, the bid advertisement date will count in lieu of the approval date for purposes of the exemption in section 436(f).

6) What if the assistance agreement that was signed prior to January 17, 2014, only funded a part of the overall project, where the remainder of the project will be funded later with another SRF loan?

If the original assistance agreement funded any construction of the project, the date of the original assistance agreement counts for purposes of the exemption. If the original assistance agreement was only for planning and design, the date of that assistance agreement will count for purposes of the exemption only if there is a written commitment or expectation on the part of the assistance recipient to fund the remainder of the project with SRF funds.

7) What if the assistance agreement that was signed prior to January 17, 2014, funded the first phase of a multi-phase project, where the remaining phases will be funded by SRF assistance in the future?

In such a case, the phases of the project will be considered a single project if all construction necessary to complete the building or work, regardless of the number of contracts or assistance agreements involved, are closely related in purpose, time and place. However, there are many situations in which major construction activities are clearly undertaken in phases that are distinct in purpose, time, or place. In the case of distinct phases, projects with engineering plans and specifications approval or assistance agreements signed prior to January 17, 2014 would be excluded from AIS requirements while those approved/signed on January 17, 2014, or later would be covered by the AIS requirements.

8) What if a project has split funding from a non-SRF source?

Many States intend to fund projects with “split” funding, from the SRF program and from State or other programs. Based on the Act language in section 436, which requires that American iron and steel products be used in any project for the construction, alteration, maintenance, or repair of a public water system or treatment works receiving SRF funding between and including January 17, 2014 and September 30, 2014, any project that is funded in whole or in part with such funds must comply with the AIS requirement. A “project” consists of all construction necessary to complete the

building or work regardless of the number of contracts or assistance agreements involved so long as all contracts and assistance agreements awarded are closely related in purpose, time and place. This precludes the intentional splitting of SRF projects into separate and smaller contracts or assistance agreements to avoid AIS coverage on some portion of a larger project, particularly where the activities are integrally and proximately related to the whole. However, there are many situations in which major construction activities are clearly undertaken in separate phases that are distinct in purpose, time, or place, in which case, separate contracts or assistance agreement for SRF and State or other funding would carry separate requirements.

9) What about refinancing?

If a project began construction, financed from a non-SRF source, prior to January 17, 2014, but is refinanced through an SRF assistance agreement executed on or after January 17, 2014 and prior to October 1, 2014, AIS requirements will apply to all construction that occurs on or after January 17, 2014, through completion of construction, unless, as is likely, engineering plans and specifications were approved by a responsible state agency prior to January 17, 2014. There is no retroactive application of the AIS requirements where a refinancing occurs for a project that has completed construction prior to January 17, 2014.

10) Do the AIS requirements apply to any other EPA programs, besides the SRF program, such as the Tribal Set-aside grants or grants to the Territories and DC?

No, the AIS requirement only applies to funds made available by a State water pollution control revolving fund as authorized by title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) or made available by a drinking water treatment revolving loan fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12)

Covered Iron and Steel Products

11) What is an iron or steel product?

For purposes of the CWSRF and DWSRF projects that must comply with the AIS requirement, an iron or steel product is one of the following made primarily of iron or steel that is permanently incorporated into the public water system or treatment works:

- Lined or unlined pipes or fittings;
- Manhole Covers;
- Municipal Castings (defined in more detail below);
- Hydrants;
- Tanks;
- Flanges;
- Pipe clamps and restraints;
- Valves;
- Structural steel (defined in more detail below);
- Reinforced precast concrete; and
- Construction materials (defined in more detail below).

12) What does the term ‘primarily iron or steel’ mean?

‘Primarily iron or steel’ places constraints on the list of products above. For one of the listed products to be considered subject to the AIS requirements, it must be made of greater than 50% iron or steel, measured by cost. The cost should be based on the material costs.

13) Can you provide an example of how to perform a cost determination?

For example, the iron portion of a fire hydrant would likely be the bonnet, body and shoe, and the cost then would include the pouring and casting to create those components. The other material costs would include non-iron and steel internal workings of the fire hydrant (i.e., stem, coupling, valve, seals, etc). However, the assembly of the internal workings into the hydrant body would not be included in this cost calculation. If one of the listed products is not made primarily of iron or steel, United States (US) provenance is not required. An exception to this definition is reinforced precast concrete, which is addressed in a later question.

14) If a product is composed of more than 50% iron or steel, but is not listed in the above list of items, must the item be produced in the US? Alternatively, must the iron or steel in such a product be produced in the US?

The answer to both question is no. Only items on the above list must be produced in the US. Additionally, the iron or steel in a non-listed item can be sourced from outside the US.

15) What is the definition of steel?

Steel means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements. Metallic elements such as chromium, nickel, molybdenum, manganese, and silicon may be added during the melting of steel for the purpose of enhancing properties such as corrosion resistance, hardness, or strength. The definition of steel covers carbon steel, alloy steel, stainless steel, tool steel and other specialty steels.

16) What does ‘produced in the United States’ mean?

Production in the United States of the iron or steel products used in the project requires that all manufacturing processes, including application of coatings, must take place in the United States, with the exception of metallurgical processes involving refinement of steel additives. All manufacturing processes includes processes such as melting, refining, forming, rolling, drawing, finishing, fabricating and coating. Further, if a domestic iron and steel product is taken out of the US for any part of the manufacturing process, it becomes foreign source material. However, raw materials such as iron ore, limestone and iron and steel scrap are not covered by the AIS requirement, and the material(s), if any, being applied as a coating are similarly not covered. Non-iron or steel components of an iron and steel product may come from non-US sources. For example, for products such as valves and hydrants, the individual non-iron and steel components do not have to be of domestic origin.

17) Are the raw materials used in the production of iron or steel required to come from US sources?

No. Raw materials, such as iron ore, limestone, scrap iron, and scrap steel, can come from non-US sources.

18) If an above listed item is primarily made of iron or steel, but is only at the construction site temporarily, must such an item be produced in the US?

No. Only the above listed products made primarily of iron or steel, permanently incorporated into the project must be produced in the US. For example trench boxes, scaffolding or equipment, which are removed from the project site upon completion of the project, are not required to be made of U.S. Iron or Steel.

19) What is the definition of ‘municipal castings’?

Municipal castings are cast iron or steel infrastructure products that are melted and cast. They typically provide access, protection, or housing for components incorporated into utility owned drinking water, storm water, wastewater, and surface infrastructure. They are typically made of grey or ductile iron, or steel. Examples of municipal castings are:

- Access Hatches;
- Ballast Screen;
- Benches (Iron or Steel);

Bollards;
Cast Bases;
Cast Iron Hinged Hatches, Square and Rectangular;
Cast Iron Riser Rings;
Catch Basin Inlet;
Cleanout/Monument Boxes;
Construction Covers and Frames;
Curb and Corner Guards;
Curb Openings;
Detectable Warning Plates;
Downspout Shoes (Boot, Inlet);
Drainage Grates, Frames and Curb Inlets;
Inlets;
Junction Boxes;
Lampposts;
Manhole Covers, Rings and Frames, Risers; 8
Meter Boxes;
Service Boxes;
Steel Hinged Hatches, Square and Rectangular;
Steel Riser Rings;
Trash receptacles;
Tree Grates;
Tree Guards;
Trench Grates; and
Valve Boxes, Covers and Risers.

20) What is ‘structural steel’?

Structural steel is rolled flanged shapes, having at least one dimension of their cross-section three inches or greater, which are used in the construction of bridges, buildings, ships, railroad rolling stock, and for numerous other constructional purposes. Such shapes are designated as wide-flange shapes, standard I-beams, channels, angles, tees and zees. Other shapes include H-piles, sheet piling, tie plates, cross ties, and those for other special purposes.

21) What is a ‘construction material’ for purposes of the AIS requirement?

Construction materials are those articles, materials, or supplies made primarily of iron and steel, that are permanently incorporated into the project, not including mechanical and/or electrical components, equipment and systems. Some of these products may overlap with what is also considered “structural steel”. This includes, but is not limited to, the following products: wire rod, bar, angles, concrete reinforcing bar, wire, wire cloth, wire rope and cables, tubing, framing, joists, trusses, fasteners (i.e., nuts and bolts), welding rods, decking, grating, railings, stairs, access ramps, fire escapes, ladders, wall panels, dome structures, roofing, ductwork, surface drains, cable hanging systems, manhole steps, fencing and fence tubing, guardrails, doors, and stationary screens.

22) What is not considered a ‘construction material’ for purposes of the AIS requirement?

Mechanical and electrical components, equipment and systems are not considered construction materials. Mechanical equipment is typically that which has motorized parts and/or is powered by a motor. Electrical equipment is typically any machine powered by electricity and includes components that are part of the electrical distribution system.

The following examples (including their appurtenances necessary for their intended use and operation) are NOT considered construction materials: pumps, motors, gear reducers, drives (including variable frequency drives (VFDs)), electric/pneumatic/manual accessories used to operate valves (such as electric valve actuators), mixers, gates, motorized screens (such as traveling screens), blowers/aeration equipment, compressors, meters, sensors, controls and switches,

supervisory control and data acquisition (SCADA), membrane bioreactor systems, membrane filtration systems, filters, clarifiers and clarifier mechanisms, rakes, grinders, disinfection systems, presses (including belt presses), conveyors, cranes, HVAC (excluding ductwork), water heaters, heat exchangers, generators, cabinetry and housings (such as electrical boxes/enclosures), lighting fixtures, electrical conduit, emergency life systems, metal office furniture, shelving, laboratory equipment, analytical instrumentation, and dewatering equipment.

23) If the iron or steel is produced in the US, may other steps in the manufacturing process take place outside of the US, such as assembly?

No. Production in the US of the iron or steel used in a listed product requires that all manufacturing processes must take place in the United States, except metallurgical processes involving refinement of steel additives.

24) What processes must occur in the US to be compliant with the AIS requirement for reinforced precast concrete?

While reinforced precast concrete may not be at least 50% iron or steel, in this particular case, the reinforcing bar and wire must be produced in the US and meet the same standards as for any other iron or steel product. Additionally, the casting of the concrete product must take place in the US. The cement and other raw materials used in concrete production are not required to be of domestic origin.

If the reinforced concrete is cast at the construction site, the reinforcing bar and wire are considered to be a construction material and must be produced in the US.

Compliance

25) How should an assistance recipient document compliance with the AIS requirement?

In order to ensure compliance with the AIS requirement, specific AIS contract language must be included in each contract, starting with the assistance agreement, all the way down to the purchase agreements. Sample language for assistance agreements and contracts can be found in Appendix 3 and 4.

EPA recommends the use of a step certification process, similar to one used by the Federal Highway Administration. The step certification process is a method to ensure that producers adhere to the AIS requirement and assistance recipients can verify that products comply with the AIS requirement. The process also establishes accountability and better enables States to take enforcement actions against violators.

Step certification creates a paper trail which documents the location of the manufacturing process involved with the production of steel and iron materials. A step certification is a process under which each handler (supplier, fabricator, manufacturer, processor, etc) of the iron and steel products certifies that their step in the process was domestically performed. Each time a step in the manufacturing process takes place, the manufacturer delivers its work along with a certification of its origin. A certification can be quite simple. Typically, it includes the name of the manufacturer, the location of the manufacturing facility where the product or process took place (not its headquarters), a description of the product or item being delivered, and a signature by a manufacturer's responsible party. Attached, as Appendix 5, are sample certifications. These certifications should be collected and maintained by assistance recipients.

Alternatively, the final manufacturer that delivers the iron or steel product to the worksite, vendor, or contractor, may provide a certification asserting that all manufacturing processes occurred in the US. While this type of certification may be acceptable, it may not provide the same degree of assurance. Additional documentation may be needed if the certification is lacking important information. Step certification is the best practice.

26) How should a State ensure assistance recipients are complying with the AIS requirement?

In order to ensure compliance with the AIS requirement, States SRF programs must include specific AIS contract language in the assistance agreement. Sample language for assistance agreements can be found in Appendix 3.

States should also, as a best practice, conduct site visits of projects during construction and review documentation demonstrating proof of compliance which the assistance recipient has gathered.

27) What happens if a State or EPA finds a non-compliant iron and/or steel product permanently incorporated in the project?

If a potentially non-compliant product is identified, the State should notify the assistance recipient of the apparent unauthorized use of the non-domestic component, including a proposed corrective action, and should be given the opportunity to reply. If unauthorized use is confirmed, the State can take one or more of the following actions: request a waiver where appropriate; require the removal of the non-domestic item; or withhold payment for all or part of the project. Only EPA can issue waivers to authorize the use of a non-domestic item. EPA may use remedies available to it under the Clean Water Act, the Safe Drinking Water Act, and 40 CFR part 31 grant regulations, in the event of a violation of a grant term and condition.

It is recommended that the State work collaboratively with EPA to determine the appropriate corrective action, especially in cases where the State is the one who identifies the item in noncompliance or there is a disagreement with the assistance recipient.

If fraud, waste, abuse, or any violation of the law is suspected, the Office of Inspector General (OIG) should be contacted immediately. The OIG can be reached at 1- 11888-546-8740 or OIG_Hotline@epa.gov. More information can be found at this website: <http://www.epa.gov/oig/hotline.htm>.

28) How do international trade agreements affect the implementation of the AIS requirements?

The AIS provision applies in a manner consistent with United States obligations under international agreements. Typically, these obligations only apply to direct procurement by the entities that are signatories to such agreements. In general, SRF assistance recipients are not signatories to such agreements, so these agreements have no impact on this AIS provision. In the few instances where such an agreement applies to a municipality, that municipality is under the obligation to determine its applicability and requirements and document the actions taken to comply for the State.

Waiver Process

The statute permits EPA to issue waivers for a case or category of cases where EPA finds (1) that applying these requirements would be inconsistent with the public interest; (2) iron and steel products are not produced in the US in sufficient and reasonably available quantities and of a satisfactory quality; or (3) inclusion of iron and steel products produced in the US will increase the cost of the overall project by more than 25 percent.

In order to implement the AIS requirements, EPA has developed an approach to allow for effective and efficient implementation of the waiver process to allow projects to proceed in a timely manner. The framework described below will allow States, on behalf of the assistance recipients, to apply for waivers of the AIS requirement directly to EPA Headquarters. Only waiver requests received from states will be considered. Pursuant to the Act, EPA has the responsibility to make findings as to the issuance of waivers to the AIS requirements.

Definitions

The following terms are critical to the interpretation and implementation of the AIS requirements and apply to the process described in this memorandum:

Reasonably Available Quantity: The quantity of iron or steel products is available or will be available at the time needed and place needed, and in the proper form or specification as specified in the project plans and design.

Satisfactory Quality: The quality of iron or steel products, as specified in the project plans and designs.

Assistance Recipient: A borrower or grantee that receives funding from a State CWSRF or DWSRF program.

Step-By-Step Waiver Process

Application by Assistance Recipient

Each local entity that receives SRF water infrastructure financial assistance is required by section 436 of the Act to use American made iron and steel products in the construction of its project. However, the recipient may request a waiver. Until a waiver is granted by EPA, the AIS requirement stands, except as noted above with respect to municipalities covered by international agreements.

The waiver process begins with the SRF assistance recipient. In order to fulfill the AIS requirement, the assistance recipient must in good faith design the project (where applicable) and solicit bids for construction with American made iron and steel products. It is essential that the assistance recipient include the AIS terms in any request for proposals or solicitations for bids, and in all contracts (see Appendix 3 for sample construction contract language). The assistance recipient may receive a waiver at any point before, during, or after the bid process, if one or more of three conditions is met:

1. Applying the American Iron and Steel requirements of the Act would be inconsistent with the public interest;
2. Iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
3. Inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

Proper and sufficient documentation must be provided by the assistance recipient. A checklist detailing the types of information required for a waiver to be processed is attached as Appendix 1.

Additionally, it is strongly encouraged that assistance recipients hold pre-bid conferences with potential bidders. A pre-bid conference can help to identify iron and steel products needed to complete the project as described in the plans and specifications that may not be available from domestic sources. It may also identify the need to seek a waiver prior to bid, and can help inform the recipient on compliance options.

In order to apply for a project waiver, the assistance recipient should email the request in the form of a Word document (.doc) to the State SRF program. It is strongly recommended that the State designate a single person for all AIS communications. The State SRF designee will review the application for the waiver and determine whether the necessary information has been included. Once the waiver application is complete, the State designee will forward the application to either of two email addresses. For CWSRF waiver requests, please send the application to: cwsrfwaiver@epa.gov. For DWSRF waiver requests, please send the application to: dwsrfwaiver@epa.gov.

Evaluation by EPA

After receiving an application for waiver of the AIS requirements, EPA Headquarters will publish the request on its website for 15 days and receive informal comment. EPA Headquarters will then use the checklist in Appendix 2 to determine whether the application properly and adequately documents and justifies the statutory basis cited for the waiver – that it is quantitatively and qualitatively sufficient – and to determine whether or not to grant the waiver.

In the event that EPA finds that adequate documentation and justification has been submitted, the Administrator may grant a waiver to the assistance recipient. EPA will notify the State designee that a waiver request has been approved or denied as soon as such a decision has been made. Granting such a waiver is a three-step process:

1. Posting – After receiving an application for a waiver, EPA is required to publish the application and all material submitted with the application on EPA’s website for 15 days. During that period, the public will have the opportunity to review the request and provide informal comment to EPA. The website can be found at: http://water.epa.gov/grants_funding/aisrequirement.cfm
2. Evaluation – After receiving an application for waiver of the AIS requirements, EPA Headquarters will use the checklist in Appendix 2 to determine whether the application properly and adequately documents and justifies the statutory basis cited for the waiver – that it is quantitatively and qualitatively sufficient – and to determine whether or not to grant the waiver.
3. Signature of waiver approval by the Administrator or another agency official with delegated authority – As soon as the waiver is signed and dated, EPA will notify the State SRF program, and post the signed waiver on our website. The assistance recipient should keep a copy of the signed waiver in its project files.

Public Interest Waivers

EPA has the authority to issue public interest waivers. Evaluation of a public interest waiver request may be more complicated than that of other waiver requests so they may take more time than other waiver requests for a decision to be made. An example of a public interest waiver that might be issued could be for a community that has standardized on a particular type or manufacturer of a valve because of its performance to meet their specifications. Switching to an alternative valve may require staff to be trained on the new equipment and additional spare parts would need to be purchased and stocked, existing valves may need to be unnecessarily replaced, and portions of the system may need to be redesigned. Therefore, requiring the community to install an alternative valve would be inconsistent with public interest.

EPA also has the authority to issue a public interest waiver that covers categories of products that might apply to all projects.

EPA reserves the right to issue national waivers that may apply to particular classes of assistance recipients, particular classes of projects, or particular categories of iron or steel products. EPA may develop national or (US geographic) regional categorical waivers through the identification of similar circumstances in the detailed justifications presented to EPA in a waiver request or requests. EPA may issue a national waiver based on policy decisions regarding the public’s interest or a determination that a particular item is not produced domestically in reasonably available quantities or of a sufficient quality. In such cases, EPA may determine it is necessary to issue a national waiver.

If you have any questions concerning the contents of this memorandum, you may contact us, or have your staff contact Jordan Dorfman, Attorney-Advisor, State Revolving Fund Branch, Municipal Support Division, at dorfman.jordan@epa.gov or (202) 564-0614 or Kiri Anderer, Environmental Engineer, Infrastructure Branch, Drinking Water Protection Division, at anderer.kirsten@epa.gov or (202) 564-3134.

Attachment 2: EPA Nationwide Waivers

Plans and Specifications Waiver




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

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: Plans and Specifications Waiver of Section 436 of P.L. 113-76, Consolidated Appropriations Act (CAA), 2014

FROM: Nancy K. Stoner 
Acting Assistant Administrator

The EPA is hereby granting a nationwide waiver of the American Iron and Steel requirement pursuant to Section 436(b)(1) (public interest waiver), of the Consolidated Appropriations Act (CAA), 2014, for eligible projects that had engineering plans and specifications submitted to an appropriate state agency prior to and including January 17, 2014, the date of enactment of the CAA, and approved between and including January 17, 2014, and the date of this waiver, where the state agency that approved such plans and specifications did so under the normal course of business for that agency. This action permits the use of non-domestic iron and steel products in such projects funded by a Clean or Drinking Water State Revolving Fund that may otherwise be prohibited under section 436.

If a project does not require approved engineering plans and specifications, the bid advertisement date will count in lieu of the plans and specifications approval date for purposes of this national waiver.

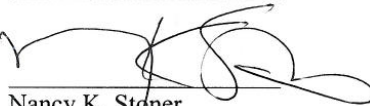
The basis for the nationwide waiver is that due to the uncertainty about whether an American Iron and Steel requirement would be included in this year's appropriation, potential assistance recipients did not have the opportunity to plan for a possible American Iron and Steel requirement. Until detailed guidance was issued, potential assistance recipients were unable to solicit bids from construction firms with appropriate definitions of key terms contained in the CAA language. Additionally, projects that submitted engineering plans and specifications prior to and including January 17, 2014, without knowledge of the American Iron and Steel requirement, and with the anticipation that such plans would be quickly approved, but such approval did not occur until on or after January 17, 2014, would be required to redesign elements of the project, investigate potential domestic products, revise engineering drawings and bid specifications, and resubmit such plans and specifications for approval, thereby delaying the initiation of construction substantially. Those projects which do not require approved plans and specifications, but were bid prior to the guidance being issued, also could be required to rebid the project or submit change orders to comply with the new requirements, which would also delay initiation of construction.

The imposition of CAA's American Iron and Steel requirement on projects eligible for SRF assistance whose assistance applicants had submitted complete engineering plans and specifications prior to and including January 17, 2014, the date on which those requirements were imposed, and had such plans and specifications approved prior to and including the date on which this waiver is signed, would require the time-consuming and expensive redesign of those projects. Specifically, those projects that can show a reasonable basis for the submission of plans and specification prior to the passage of the CAA would be harmed by the imposition of these requirements post submission. This imposition would conflict with both EPA's, as well as the states', interest in providing funding to eligible recipients in an expeditious and efficient manner, as required by the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA). Project delays would increase the time necessary to comply with CWA and SDWA requirements and adversely impact the protection of public health and the environment.

CAA Section 436(b) (1) authorized the Administrator to waive the requirements of Section 436(a) in any case or category of cases in which she finds that applying subsection (a) would be inconsistent with the public interest. Therefore, for the foregoing reasons, imposing American Iron and Steel requirements on projects that submitted engineering plans and specifications to an appropriate state agency for approval, or the bid advertisement date for a project that does not require approved engineering plans and specifications, prior to and including January 17, 2014, and approved between and including January 17, 2014, through the date on which this waiver was signed, is not in the public interest.

If you have any questions concerning the contents of this memorandum, please contact Jordan Dorfman, Attorney-Advisor, State Revolving Fund Branch, Municipal Support Division, at dorfman.jordan@epa.gov or (202) 564-0614 or Kirsten Anderer, Environmental Engineer, Infrastructure Branch, Drinking Water Protection Division, at anderer.kirsten@epa.gov or (202) 564-3134.

Issued on: APR 15 2014

Approved by: 
Nancy K. Stoner
Acting Assistant Administrator

De Minimis waiver



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

OFFICE OF WATER

DECISION MEMORANDUM

SUBJECT: De Minimis Waiver of Section 436 of P.L. 113-76, Consolidated Appropriations Act (CAA), 2014

FROM: Nancy K. Stoner
Acting Assistant Administrator

The EPA is hereby granting a nationwide waiver pursuant to the “American Iron and Steel (AIS)” requirements of P.L. 113-76, Consolidated Appropriations Act, 2014 (Act), section 436 under the authority of Section 436(b)(1) (public interest waiver) for de minimis incidental components of eligible water infrastructure projects. This action permits the use of products when they occur in de minimis incidental components of such projects funded by the Act that may otherwise be prohibited under section 436(a). Funds used for such de minimis incidental components cumulatively may comprise no more than a total of 5 percent of the total cost of the materials used in and incorporated into a project; the cost of an individual item may not exceed 1 percent of the total cost of the materials used in and incorporated into a project.

P.L. 113-76, Consolidated Appropriations Act, 2014 (Act), includes an “American Iron and Steel” (AIS) requirement in section 436 that requires Clean Water State Revolving Loan Fund (CWSRF) and Drinking Water State Revolving Loan Fund (DWSRF) assistance recipients to use specific domestic iron and steel products that are produced in the United States if the project is funded through an assistance agreement executed beginning January 17, 2014 (enactment of the Act), through the end of Fiscal Year 2014, unless the agency determines it necessary to waive this requirement based on findings set forth in Section 436(b). The Act states, “[the requirements] shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency... finds that— (1) applying subsection (a) would be inconsistent with the public interest” 436(b)(1).

In implementing section 436 of the Act, the EPA must ensure that the section's requirements are applied consistent with congressional intent in adopting this section and in the broader context of the purposes, objectives, and other provisions applicable to projects funded under the SRF. Water infrastructure projects typically contain a relatively small number of high-cost components incorporated into the project. In bid solicitations for a project, these high-cost components are generally described in detail via project specific technical specifications. For these major components, utility owners and their contractors are generally familiar with the conditions of availability, the potential alternatives for each detailed specification, the approximate cost, and the country of manufacture of the available components.

Every water infrastructure project also involves the use of thousands of miscellaneous, generally low-cost components that are essential for, but incidental to, the construction and are incorporated into the physical structure of the project. For many of these incidental components, the country of manufacture and the availability of alternatives is not always readily or reasonably identifiable prior to procurement in the normal course of business; for other incidental components, the country of manufacture may be known but the miscellaneous character in conjunction with the low cost, individually and (in total) as typically procured in bulk, mark them as properly incidental. Examples of incidental components could include small washers, screws, fasteners (i.e., nuts and bolts), miscellaneous wire, corner bead, ancillary tube, etc. Examples of items that are clearly not incidental include significant process fittings (i.e., tees, elbows, flanges, and brackets), distribution system fittings and valves, force main valves, pipes for sewer collection and/or water distribution, treatment and storage tanks, large structural support structures, etc.

The EPA undertook multiple inquiries to identify the approximate scope of de minimis incidental components within water infrastructure projects during the implementation of the American Reinvestment and Recovery Act (ARRA) and its requirements (Buy American provisions, specifically). The inquiries and research conducted in 2009 applies suitably for the case today. In 2009, the EPA consulted informally with many major associations representing equipment manufacturers and suppliers, construction contractors, consulting engineers, and water and wastewater utilities, and performed targeted interviews with several well-established water infrastructure contractors and firms who work in a variety of project sizes, and regional and demographic settings to ask the following questions:

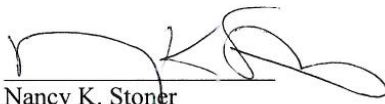
- What percentage of total project costs were consumables or incidental costs?
- What percentage of materials costs were consumables or incidental costs?
- Did these percentages vary by type of project (drinking water vs. wastewater treatment plant vs. pipe)?

The responses were consistent across the variety of settings and project types, and indicated that the percentage of total costs for drinking water or wastewater infrastructure projects represented by these incidental components is generally not in excess of 5 percent of the total cost of the materials used in and incorporated into a project. In drafting this waiver, the EPA has considered the de minimis proportion of project costs generally represented by each individual type of these incidental components within the many types of such components comprising those percentages, the fact that these types of incidental components are obtained by contractors in many different ways from many different sources, and the disproportionate cost and delay that would be imposed on projects if the EPA did not issue this waiver.

Assistance recipients who wish to use this waiver should in consultation with their contractors determine the items to be covered by this waiver and must retain relevant documentation (i.e., invoices) as to those items in their project files.

If you have any questions concerning the contents of this memorandum, please contact Timothy Connor, Chemical Engineer, Municipal Support Division, at connor.timothy@epa.gov or (202) 566-1059 or Kirsten Anderer, Environmental Engineer, Drinking Water Protection Division, at anderer.kirsten@epa.gov or (202) 564-3134.

Issued on: APR 15 2014

Approved by: 
Nancy K. Stoner
Acting Assistant Administrator

Attachment 3: EPA Waiver Request

Information Checklist for Waiver Request

The purpose of this checklist is to help ensure that all appropriate and necessary information is submitted to EPA. EPA recommends that States review this checklist carefully and provide all appropriate information to EPA. This checklist is for informational purposes only and does not need to be included as part of a waiver application.

Items	☑	Notes
General <ul style="list-style-type: none"> • Waiver request includes the following information: <ul style="list-style-type: none"> ○ Description of the foreign and domestic construction materials ○ Unit of measure ○ Quantity ○ Price ○ Time of delivery or availability ○ Location of the construction project ○ Name and address of the proposed supplier ○ A detailed justification for the use of foreign construction materials • Waiver request was submitted according to the instructions in the memorandum • Assistance recipient made a good faith effort to solicit bids for domestic iron and steel products, as demonstrated by language in requests for proposals, contracts, and communications with the prime contractor 	☑	
Cost Waiver Requests <ul style="list-style-type: none"> • Waiver request includes the following information: <ul style="list-style-type: none"> ○ Comparison of overall cost of project with domestic iron and steel products to overall cost of project with foreign iron and steel products ○ Relevant excerpts from the bid documents used by the contractors to complete the comparison ○ Supporting documentation indicating that the contractor made a reasonable survey of the market, such as a description of the process for identifying suppliers and a list of contacted suppliers 	☑	
Availability Waiver Requests <ul style="list-style-type: none"> • Waiver request includes the following supporting documentation necessary to demonstrate the availability, quantity, and/or quality of the materials for which the waiver is requested: <ul style="list-style-type: none"> ○ Supplier information or pricing information from a reasonable number of domestic suppliers indicating availability/delivery date for construction materials ○ Documentation of the assistance recipient's efforts to find available domestic sources, such as a description of the process for identifying suppliers and a list of contacted suppliers. ○ Project schedule ○ Relevant excerpts from project plans, specifications, and permits indicating the required quantity and quality of construction materials • Waiver request includes a statement from the prime contractor and/or supplier confirming the non-availability of the domestic construction materials for which the waiver is sought <p>Has the State received other waiver requests for the materials described in this waiver request, for comparable projects?</p>	☑	

EPA Checklist for Waiver Request

Instructions: To be completed by EPA. Review all waiver requests using the questions in the checklist, and mark the appropriate box as Yes, No or N/A. Marks that fall inside the shaded boxes may be grounds for denying the waiver. If none of your review markings fall into a shaded box, the waiver is eligible for approval if it indicates that one or more of the following conditions applies to the domestic product for which the waiver is sought:

1. The iron and/or steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality.
2. The inclusion of iron and/or steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

Review Items	Yes	No	N/A	Notes
Cost of Waiver Request <ul style="list-style-type: none"> • Does the waiver request include the following information? <ul style="list-style-type: none"> ○ Comparison of overall cost of project with domestic iron and steel products to overall cost of project with foreign iron and steel products 				
<ul style="list-style-type: none"> ○ Relevant excerpts from the bid documents used by the contractors to complete the comparison 				
<ul style="list-style-type: none"> ○ A sufficient number of bid documents or pricing information from domestic sources to constitute a reasonable survey of the market 				
<ul style="list-style-type: none"> • Does the Total Domestic Project exceed the Total Foreign Project Cost by more than 25%? 				
Availability Waiver Requests <ul style="list-style-type: none"> • Does the waiver request include supporting documentation sufficient to show the availability, quantity, and/or quality of the iron and/or steel product for which the waiver is requested? <ul style="list-style-type: none"> ○ Supplier information or other documentation indicating availability/delivery date for materials ○ Project schedule ○ Relevant excerpts from project plans, specifications, and permits indicating the required quantity and quality of materials 				
<ul style="list-style-type: none"> • Does supporting documentation provide sufficient evidence that the 				
<ul style="list-style-type: none"> • Contractors made a reasonable effort to locate domestic suppliers of materials, such as a description of the process for identifying suppliers and a list of contacted suppliers? 				
<ul style="list-style-type: none"> • Based on the materials delivery/availability date indicated in the supporting documentation, will the materials be unavailable when they are needed according to the project schedule? (By item, list schedule date and domestic delivery quote date or other relevant information) 				
<ul style="list-style-type: none"> • Is EPA aware of any other evidence indicating the non-availability of the materials for which the waiver is requested? Examples include: <ul style="list-style-type: none"> ○ Multiple waiver requests for the materials described in this waiver request, for comparable projects in the same State ○ Multiple waiver requests for the materials described in this waiver request, for comparable projects in other States ○ Correspondence with construction trade associations indicating the non-availability of the materials • Are the available domestic materials indicated in the bid documents of inadequate quality compared those required by the project plans, specifications, and/or permits? 				

Attachment 4: Construction Contract Language

THE FOLLOWING LANGUAGE MUST BE INCLUDED IN ALL CONSTRUCTION AND PURCHASE CONTRACTS ASSOCIATED WITH A TWDB CWSRF OR DWSRF LOAN:

The Contractor acknowledges to and for the benefit of the City of _____ (“Purchaser”) and the Texas Water Development Board (TWDB) that it understands the goods and services under this Agreement are being funded with monies made available by the Clean Water State Revolving Fund and/or Drinking Water State Revolving Fund that have statutory requirements commonly known as “American Iron and Steel;” that requires all of the iron and steel products used in the project to be produced in the United States (“American Iron and Steel Requirement”) including iron and steel products provided by the Contactor pursuant to this Agreement. The Contractor hereby represents and warrants to and for the benefit of the Purchaser and the TWDB that (a) the Contractor has reviewed and understands the American Iron and Steel Requirement, (b) all of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of the requirement is approved, and (c) the Contractor will provide any further verified information, certification or assurance of compliance with this paragraph, or information necessary to support a waiver of the American Iron and Steel Requirement, as may be requested by the Purchaser or the TWDB. Notwithstanding any other provision of this Agreement, any failure to comply with this paragraph by the Contractor shall permit the Purchaser to enforce this Agreement and recover as damages against the Contractor any loss, expense, or cost (including without limitation attorney’s fees) incurred by the Purchaser resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the TWDB or any damages owed to the TWDB by the Purchaser). While the Contractor has no direct contractual privity with the TWDB, as a lender to the Purchaser for the funding of its project, the Purchaser and the Contractor agree that the TWDB is a third-party beneficiary and neither this paragraph (nor any other provision of this Agreement necessary to give this paragraph force or effect) shall be amended or waived without the prior written consent of the TWDB.

Attachment 5: Sample Certifications

AIS Certification must document the location of the manufacturing process involved with the production of steel and iron materials. Each handler (supplier, fabricator, manufacturer, processor, etc) of the iron and steel products and their step in the process must be recorded and certified as domestically performed.

The applicant may utilize either (1) a Final Manufacturer Certification process, in which the final manufacturer that delivers the iron or steel product to the worksite, vendor, or contractor, may provide a certification identifying all handlers of the iron or steel product, and asserting that all manufacturing processes occurred in the US; (2) or a Step Certification process in which each handler of the iron or steel product provides a separate certification letter certifying that their step in the process was domestically performed.

Final Manufacturer Certification

The following information is provided as a sample letter of certification for AIS compliance. Documentation must be provided on company letterhead. The Final Manufacturer's Certification should list everyone who has handled the product, starting from processor of the raw iron or steel through the contractor who installs the final product.

Date

Company Name

Company Address

City, State Zip

Subject: American Iron and Steel Certification for Project (XXXXXXXXXX)

I, (company representative), certify that the following products and/or materials shipped/provided to the subject project are in full compliance with the American Iron and Steel requirement as mandated in EPA's State Revolving Fund Programs.

Item, Products and/or Materials:

1. Xxxx
2. Xxxx
3. Xxxx

Such process took place at the following location:

Contractor:	_____	_____	_____
	(Name)	(Item)	(Process)
Supplier:	_____	_____	_____
	(Name)	(Item)	(Process)
Manufacturer:	_____	_____	_____
	(Name)	(Item)	(Process)
Processor:	_____	_____	_____
	(Name)	(Item)	(Process)

If any of the above compliance statements change while providing material to this project we will immediately notify the prime contractor and the engineer.

Signed by company representative

Step Certification

A step certification is a process under which each handler (supplier, fabricator, manufacturer, processor, etc) of the iron and steel products certifies that their step in the process was domestically performed. The Step Certification process requires you receive a separate letter from everyone who handles the product, starting from processor of the raw iron or steel through the contractor who installs the final product.

Step Certification Letter

The following information is provided as a sample letter of step certification for AIS compliance. Documentation must be provided on company letterhead of each handler responsible for that process of the iron or steel product.

Date

Company Name

Company Address

City, State Zip

Subject: American Iron and Steel Step Certification for Project (XXXXXXXXXX)

I, (company representative), certify that the (melting, bending, coating, galvanizing, cutting, etc.) process for (manufacturing or fabricating) the following products and/or materials shipped or provided for the subject project is in full compliance with the American Iron and Steel requirement as mandated in EPA's State Revolving Fund Programs.

Item, Products and/or Materials:

1. Xxx
2. Xxx
3. Xxx

Such process took place at the following location:

Handler: _____
(Name) (Item) (Process)

If any of the above compliance statements change while providing material to this project we will immediately notify the prime contractor and the engineer.

Signed by company representative

De Minimis Log

The following information is provided as a sample de minimis log for AIS compliance. The TWDB makes no claims regarding the legality of the de minimis log with respect to AIS compliance.

American Iron and Steel de minimis log							
	Owner Name: City				Total Project Cost: \$130,000.00		
	Project Name: CID 01 - Project				Total Material Cost: \$100,000.00		
	TWDB SRF No.: ####						
	Contractor Name: Contractor						
Item No.	Iron or Steel Product	Unit Cost	Quantity	Total Cost	% Mat Cost (<1%)	Cum Cost	% Mat Cost (<5%)
1	Steel Door	\$ 400.00	1	\$ 400.00	0.40%	\$ 400.00	0.40%
2	Bolts	100	1	\$ 100.00	0.10%	\$ 500.00	0.50%
3	welding rods	30	1	\$ 30.00	0.03%	\$ 530.00	0.53%
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							



SAN ANTONIO
WATER SYSTEM



WATER PRODUCTION FACILITIES
DISINFECTION SYSTEM
UPGRADES PROJECT

NO.	DATE	ISSUED FOR	BY
3	08/14/14	ADDENDUM No. 3	SS

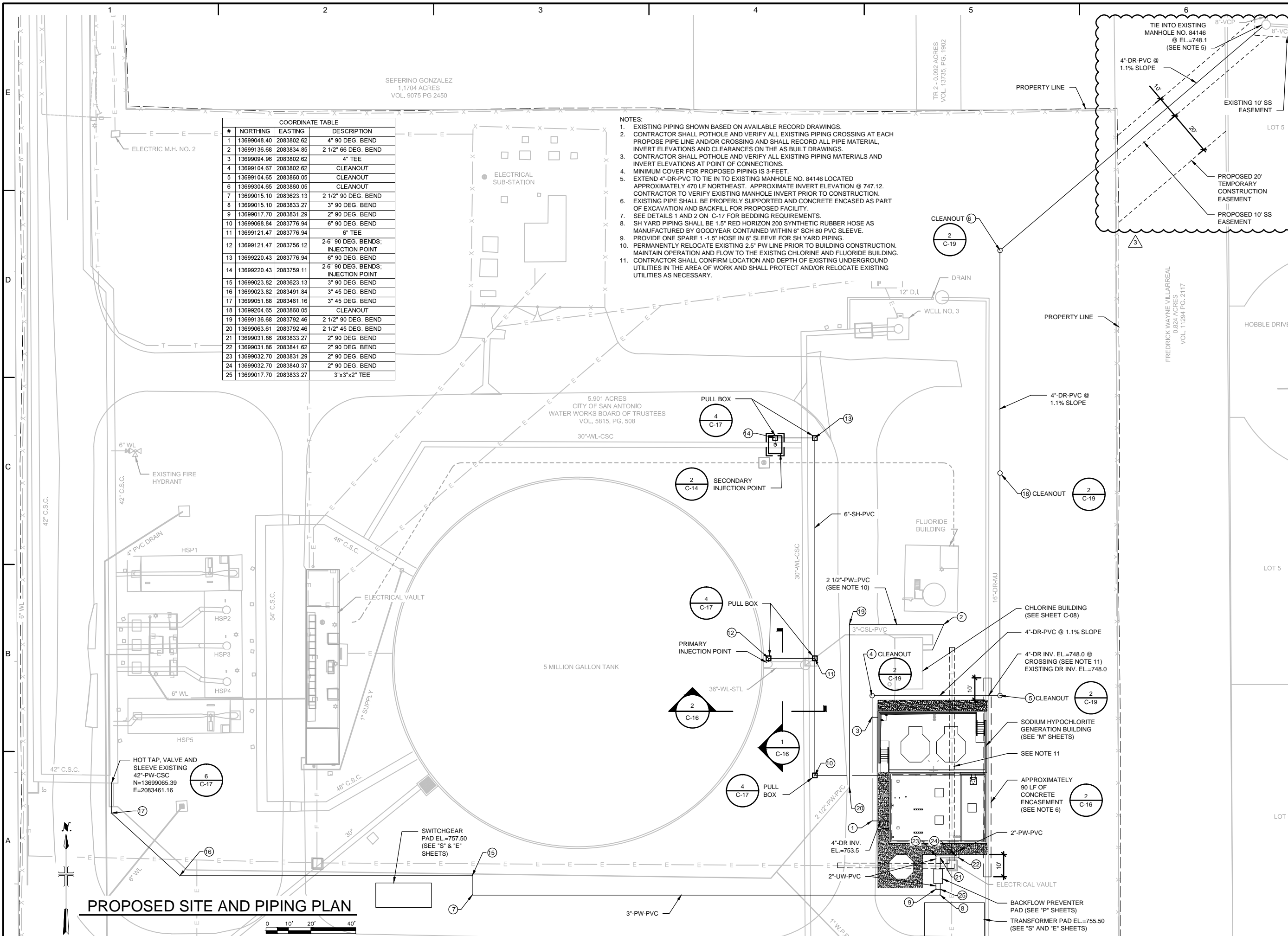
COPYRIGHT:
DATE: JULY 2014
PROJECT NO.: 12-6004
FILE NAME: 02196020-C06
DESIGNED BY: M. GIARAMITA
DRAWN BY: J. ARNOLD
CHECKED BY: S. SUE

SHEET TITLE
CIVIL

**MARBACH
PROPOSED SITE
AND PIPING PLAN**

SCALE: 1" = 20'-0"

SHEET **C-06**
10 OF 125

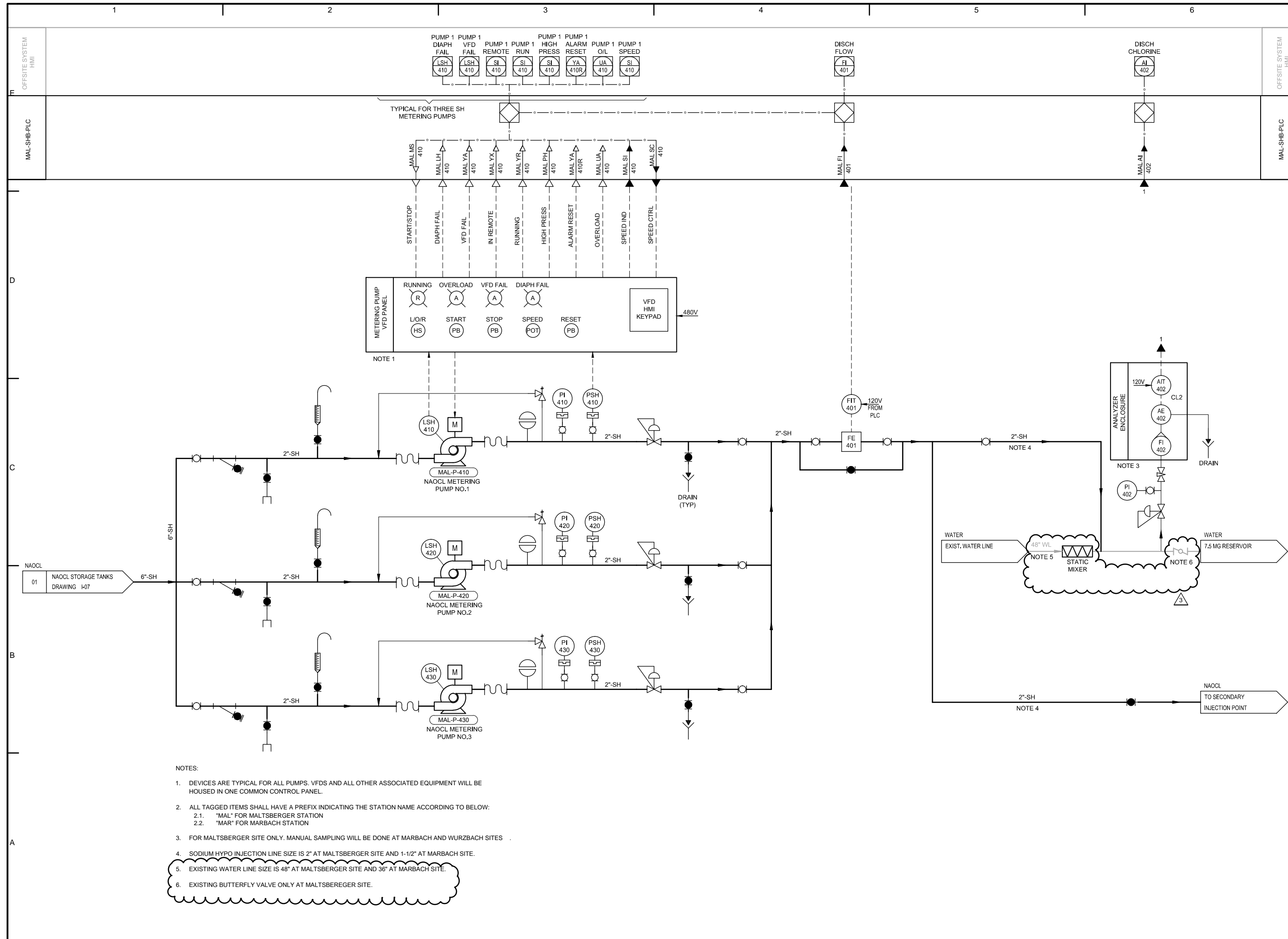


COORDINATE TABLE

#	NORTHING	EASTING	DESCRIPTION
1	13699048.40	2083802.62	4" 90 DEG. BEND
2	13699136.68	2083834.85	2 1/2" 66 DEG. BEND
3	13699094.96	2083802.62	4" TEE
4	13699104.67	2083802.62	CLEANOUT
5	13699104.65	2083860.05	CLEANOUT
6	13699304.65	2083860.05	CLEANOUT
7	13699015.10	2083623.13	2 1/2" 90 DEG. BEND
8	13699015.10	2083833.27	3" 90 DEG. BEND
9	13699017.70	2083831.29	2" 90 DEG. BEND
10	13699068.84	2083776.94	6" 90 DEG. BEND
11	13699121.47	2083776.94	6" TEE
12	13699121.47	2083756.12	2-6" 90 DEG. BENDS; INJECTION POINT
13	13699220.43	2083776.94	6" 90 DEG. BEND
14	13699220.43	2083759.11	2-6" 90 DEG. BENDS; INJECTION POINT
15	13699023.82	2083623.13	3" 90 DEG. BEND
16	13699023.82	2083491.84	3" 45 DEG. BEND
17	13699051.88	2083461.16	3" 45 DEG. BEND
18	13699204.65	2083860.05	CLEANOUT
19	13699136.68	2083792.46	2 1/2" 90 DEG. BEND
20	13699063.61	2083792.46	2 1/2" 45 DEG. BEND
21	13699031.86	2083833.27	2" 90 DEG. BEND
22	13699031.86	2083841.62	2" 90 DEG. BEND
23	13699032.70	2083831.29	2" 90 DEG. BEND
24	13699032.70	2083840.37	2" 90 DEG. BEND
25	13699017.70	2083833.27	3"x3"x2" TEE

- NOTES:**
- EXISTING PIPING SHOWN BASED ON AVAILABLE RECORD DRAWINGS.
 - CONTRACTOR SHALL POTHOLE AND VERIFY ALL EXISTING PIPING CROSSING AT EACH PROPOSED PIPE LINE AND/OR CROSSING AND SHALL RECORD ALL PIPE MATERIAL, INVERT ELEVATIONS AND CLEARANCES ON THE AS BUILT DRAWINGS.
 - CONTRACTOR SHALL POTHOLE AND VERIFY ALL EXISTING PIPING MATERIALS AND INVERT ELEVATIONS AT POINT OF CONNECTIONS.
 - MINIMUM COVER FOR PROPOSED PIPING IS 3-FEET.
 - EXTEND 4"-DR-PVC TO TIE IN TO EXISTING MANHOLE NO. 84146 LOCATED APPROXIMATELY 470 LF NORTHEAST. APPROXIMATE INVERT ELEVATION @ 747.12. CONTRACTOR TO VERIFY EXISTING MANHOLE INVERT PRIOR TO CONSTRUCTION.
 - EXISTING PIPE SHALL BE PROPERLY SUPPORTED AND CONCRETE ENCASED AS PART OF EXCAVATION AND BACKFILL FOR PROPOSED FACILITY.
 - SEE DETAILS 1 AND 2 ON C-17 FOR BEDDING REQUIREMENTS.
 - SH YARD PIPING SHALL BE 1.5" RED HORIZON 200 SYNTHETIC RUBBER HOSE AS MANUFACTURED BY GOODYEAR CONTAINED WITHIN 6" SCH 80 PVC SLEEVE. PROVIDE ONE SPARE 1-1.5" HOSE IN 6" SLEEVE FOR SH YARD PIPING.
 - PERMANENTLY RELOCATE EXISTING 2.5" PW LINE PRIOR TO BUILDING CONSTRUCTION. MAINTAIN OPERATION AND FLOW TO THE EXISTING CHLORINE AND FLUORIDE BUILDING.
 - CONTRACTOR SHALL CONFIRM LOCATION AND DEPTH OF EXISTING UNDERGROUND UTILITIES IN THE AREA OF WORK AND SHALL PROTECT AND/OR RELOCATE EXISTING UTILITIES AS NECESSARY.

User: Arnold, Spec: PIPING STANDARD File: K:\aap\proj\02196020 - SAN ANTONIO WATER PRODUCTION FACILITIES DISINFECTION SYSTEM UPGRADES PROJECT - 08/14/14 Time: 12:29 Layout: C06



- NOTES:
- DEVICES ARE TYPICAL FOR ALL PUMPS. VFDS AND ALL OTHER ASSOCIATED EQUIPMENT WILL BE HOUSED IN ONE COMMON CONTROL PANEL.
 - ALL TAGGED ITEMS SHALL HAVE A PREFIX INDICATING THE STATION NAME ACCORDING TO BELOW:
 - "MAL" FOR MALTSBERGER STATION
 - "MAR" FOR MARBACH STATION
 - FOR MALTSBERGER SITE ONLY. MANUAL SAMPLING WILL BE DONE AT MARBACH AND WURZBACH SITES.
 - SODIUM HYPO INJECTION LINE SIZE IS 2" AT MALTSBERGER SITE AND 1-1/2" AT MARBACH SITE.
 - EXISTING WATER LINE SIZE IS 48" AT MALTSBERGER SITE AND 36" AT MARBACH SITE.
 - EXISTING BUTTERFLY VALVE ONLY AT MALTSBERGER SITE.



SAN ANTONIO WATER SYSTEM



WATER PRODUCTION FACILITIES
DISINFECTION SYSTEM
UPGRADES PROJECT

3	08/14/14	ADDENDUM No. 3	SZ
NO.	DATE	ISSUED FOR	BY

COPYRIGHT: _____

DATE: JULY 2014

PROJECT NO.: 12-6004

FILE NAME: 2196020-1-08

DESIGNED BY: S. ZOMORODI

DRAWN BY: S. ZOMORODI

CHECKED BY: J. SOKOL

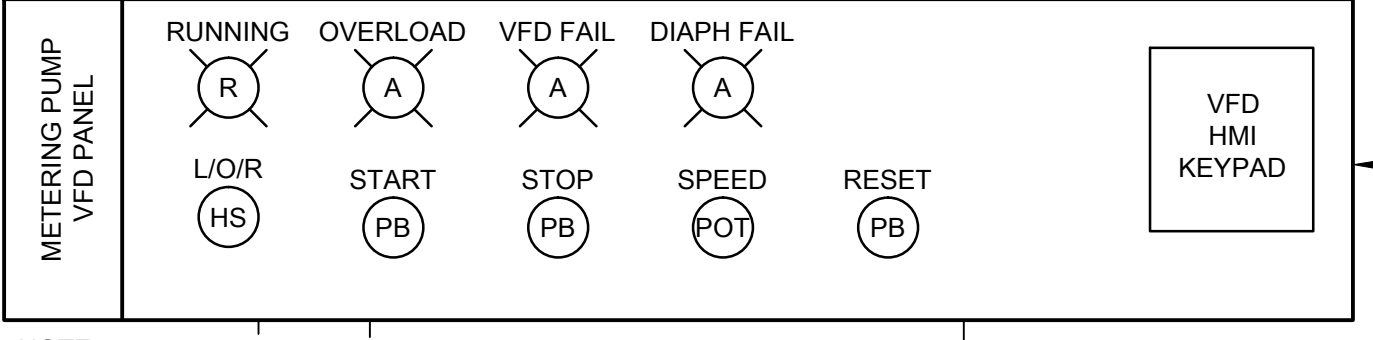
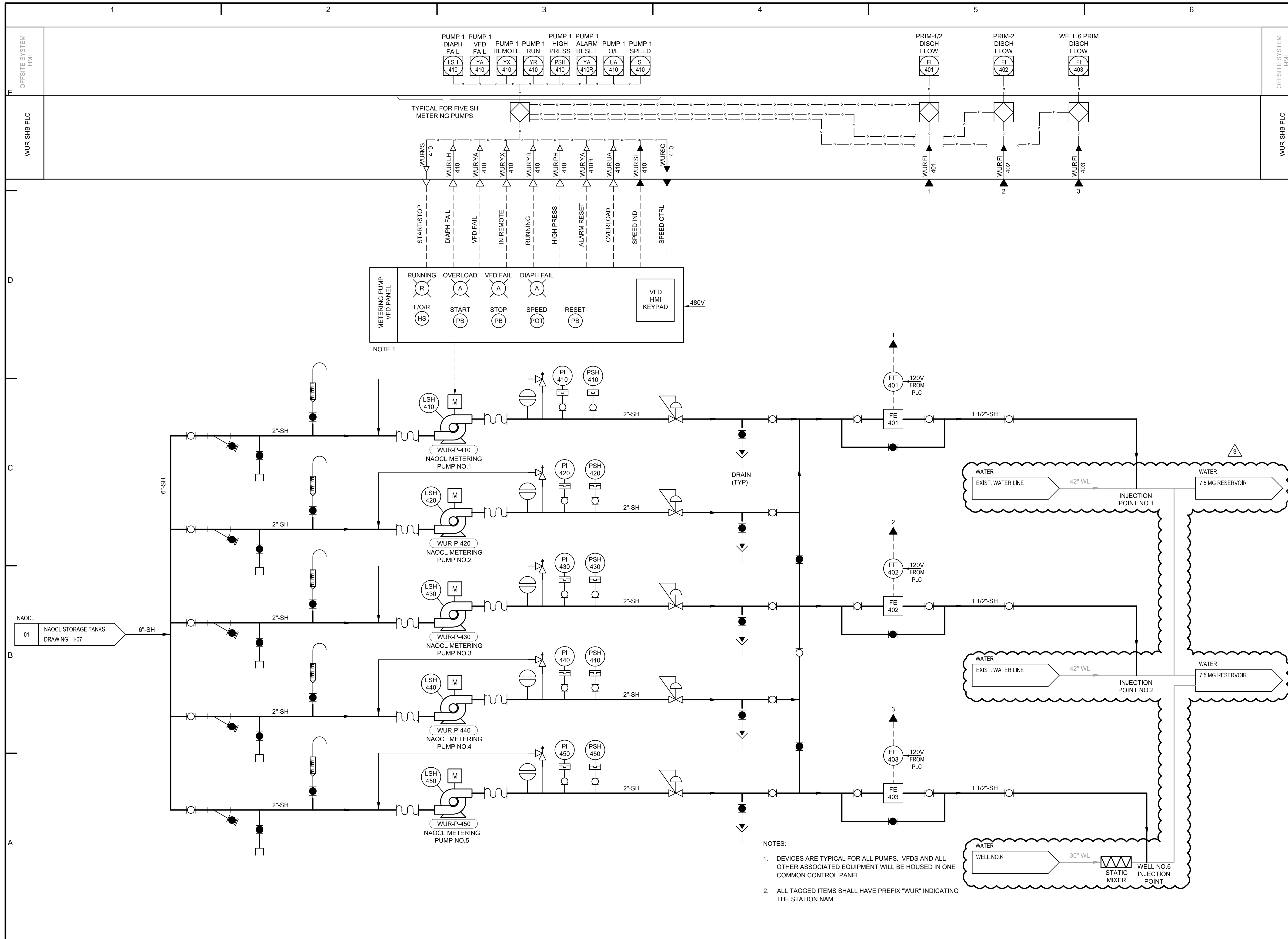
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INSTRUMENTATION
MALTSBERGER & MARBACH OSHG METERING PUMPS P&ID

SCALE: NOT TO SCALE

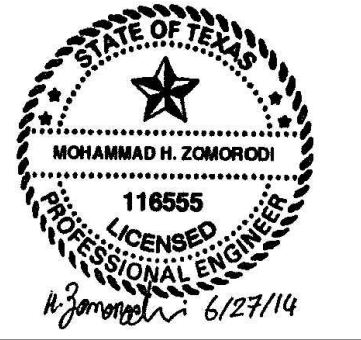
SHEET **1-08**

120 OF 125

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- NOTES:
1. DEVICES ARE TYPICAL FOR ALL PUMPS. VFDs AND ALL OTHER ASSOCIATED EQUIPMENT WILL BE HOUSED IN ONE COMMON CONTROL PANEL.
 2. ALL TAGGED ITEMS SHALL HAVE PREFIX "WUR" INDICATING THE STATION NAM.



SAN ANTONIO WATER SYSTEM



WATER PRODUCTION FACILITIES
DISINFECTION SYSTEM
UPGRADES PROJECT

NO.	DATE	ISSUED FOR	BY
3	08/14/14	ADDENDUM No. 3	SZ

COPYRIGHT: _____
 DATE: JULY 2014
 PROJECT NO.: 12-6004
 FILE NAME: 2196020-I-09
 DESIGNED BY: S. ZOMORODI
 DRAWN BY: S. ZOMORODI
 CHECKED BY: J. SOKOL

SHEET TITLE
INSTRUMENTATION

WURZBACH OSHG
METERING PUMPS
P&ID

SCALE: NOT TO SCALE

SHEET I-09
121 OF 125

XREFS: \\S:\REFS\2196020-TRB\4.dwg IMAGES:None
 User: S. Zomorodi Spec: PIRNIE STANDARD File: \\X:\08\F01\Draws\CADD\Acad\Proj\02196020-1-09.DWG Scale: 1:1 Date: 08/11/2014 Time: 16:57 Layout: 09