

U.S. Army Corps of Engineers (USACE)
CORPS WATER INFRASTRUCTURE FINANCING PROGRAM
PRELIMINARY APPLICATION

OMB Control No. 0710-XXXX

Approval Expires:

The proponent agency is Headquarters USACE CECW.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority	Pub.L. 113 - 121 5001-5035, Water Resources Reform and Development Act of 2014; Water Infrastructure Finance and Innovation Act of 2014 (<i>WIFIA</i> , 33 U.S.C. 3901 -3914).
Principal Purpose	The preliminary application has four primary purposes: 1) validate the eligibility of the prospective borrower and the proposed project, 2) perform a preliminary creditworthiness assessment, 3) perform a preliminary engineering and environmental feasibility assessment, and 4) evaluate the project against the selection criteria and identify which projects USACE will invite to submit applications. The preliminary application addresses the Corps Water Infrastructure Financing Program (CWIFP) eligibility criteria, CWIFP selection criteria, and identifies other specific information that must be provided to USACE to be considered for credit assistance. This serves to provide USACE with sufficient information to make a project selection and invite prospective borrowers to submit applications.
Routine Uses	Information will be shared with the USACE CWIFP team to review and process the application. Personally Identifiable Information will not be shared outside the USACE CWIFP team.
Disclosure	Voluntary, however incomplete submissions may delay or disqualify the project.

Introduction: Prospective borrowers seeking Water Infrastructure Finance and Innovation Act (WIFIA) credit assistance for water resource infrastructure projects must complete and submit a CWIFP preliminary application to the U.S. Army Corps of Engineers (USACE). Based on the information provided in the preliminary application, USACE will invite selected prospective borrowers to submit an application for CWIFP credit assistance. USACE will only select those eligible projects that it expects to proceed to closing.

Purpose: The preliminary application has four primary purposes: 1) validate the eligibility of the prospective borrower and the proposed project, 2) perform a preliminary creditworthiness assessment, 3) perform a preliminary engineering and environmental feasibility assessment, and 4) evaluate the project against the selection criteria and identify which projects USACE will invite to submit applications. The preliminary application addresses the CWIFP eligibility criteria, CWIFP selection criteria, and identifies other specific information that must be provided to USACE to be considered for credit assistance. This serves to provide USACE with sufficient information to make a project selection and invite prospective borrowers to submit applications.

Format: To be considered for CWIFP credit assistance, prospective borrowers must submit a preliminary application that describes: 1) the prospective borrower and the plans for the proposed project(s); 2) the proposed financial plan; 3) the status of the reports and studies required for the project(s); and 4) how the project meets the selection criteria of the CWIFP credit program. Please reference the latest Notice of Funding Availability (NOFA), the CWIFP program guide, and frequently asked questions (FAQ) available at <https://www.usace.army.mil/Missions/Civil-Works/Infrastructure/revolutionize/CWIFP/> for additional instructions and information.

Responses to all of the questions should be included in this form. Upon completion, the total length of the preliminary application form should not exceed 25 pages, excluding any attachments. Font size should not be smaller than 11-point Calibri.

Selection: Due to the wide variety of projects eligible for CWIFP assistance, in some cases USACE may request additional information to supplement the preliminary application so it may complete its analysis. USACE will invite some eligible prospective borrowers to submit applications based on its selection process.

Submission: Preliminary applications must be submitted to USACE by the deadline stated in the Notice of Funding Availability (NOFA). Source documents may be draft or preliminary. Please provide the most recent version available at the time of submission.

The documents must be uploaded onto an external hard drive and mailed to the following street address: USACE CWIFP Team, CECW-I (3K87), 441 G Street NW Washington, DC 20314. Upon receipt, USACE will provide a confirmation notification. If prospective borrowers have questions on completing this preliminary application, please consult the CWIFP website or contact the CWIFP office point of contact at CW.Infrastructure.Team@usace.army.mil.

Confidential Business Information (CBI): An applicant may assert a business confidentiality claim covering part or all of the information submitted to USACE as part of its application by providing a transmittal letter along with the application describing the proprietary information and the reason why it is considered to be proprietary. The applicant may indicate the confidential information by placing (or attaching to) a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, proprietary, or company confidential. The applicant should also state whether it desires confidential treatment until a certain date or until the occurrence of a certain event. The applicant should be aware that USACE may be required to disclose the confidential materials under the Freedom of Information Act. Otherwise, information that is not accompanied by a business confidentiality claim when it is received by USACE may be made available to the public by USACE without further notice to the applicant.

More information about CBI is available in the CWIFP handbook and frequently asked questions (FAQ) available at <https://www.usace.army.mil/Missions/Civil-Works/Infrastructure/revolutionize/CWIFP>

Agency Disclosure Notice: The public reporting burden for this collection of information, 0710-XXXX, is estimated to average 50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR RESPONSE TO THE ABOVE ADDRESS. Responses should be sent to U.S. Army Corps of Engineers, 441 G. Street N.W., Washington, D.C. 20314 Attn: CECW-I (3K87).

Warning: Falsification or misrepresentation of information or failure to file or report information required to be reported may be the basis for denial of financial assistance by USACE. Knowing and willful falsification of information required to be submitted and false statements to a Federal Agency may also subject you to criminal prosecution. See, for example, 18 U.S.C. §1001.

Preliminary Application

Provide the following information in this form or as narrative answers. Narrative answers can reference source documents (include the name of the document and relevant pages or sections). Provide any referenced documents as attachments.

I. Prospective Borrower Information

1. Legal Name:

2. Other Names:

3. Department and Division Name:

4. Business Street Address:

5. Mailing Street Address (if different from above):

6. Website:

7. Employer/Taxpayer Identification Number (EIN/TIN):

8. Dun and Bradstreet Data Universal Number System (DUNS) number:

9. Type of Project(s) (select all that apply):

- Flood Damage Reduction
- Hurricane and Storm Damage Reduction
- Environmental Restoration
- Coastal or Inland Harbor Navigation Improvement
- Inland and Intracoastal Waterways Navigation Improvement
- Acquisition of Real Property or Interest in Real Property
- Other: _____

10. Type of Entity

- Corporation
- Partnership
- Joint Venture
- Trust
- Federal, State, or Local Governmental Entity, Agency, or Instrumentality
- Tribal Government or Consortium of Tribal Governments
- State Infrastructure Finance Authority

11. Describe the organizational structure of the prospective borrower. If multiple parties are involved in the project's construction, maintenance, and operation, describe the project's risk allocation framework.

12. On which date (month and year) is the prospective borrower able to submit a completed application? _____

13. On which date (month and year) is the prospective borrower planning to close on the CWIFP loan? _____

II: Project Plan

1. Project Name (for purposes of identification assign a short name to the project):

2. Project Website(s):

3. Brief Description of the Project:

4. Brief the Project Purpose

5. Project Location. Include a project map(s) for all project components:

6. Locality(s) (i.e., district, region, locale) project(s) will serve:

7. Estimated Population served by the project(s), if applicable:

8. Planned Project Delivery Method:

- Design-Build
- Design-Bid-Build
- Design-Bid-Finance
- Construction Manager At-Risk
- Other: _____

9. Project Schedule

Project Name	Planning	Design	Permitting	Construction

11. Is this project Federally Authorized by Congress?

Yes No

12. Is the project Federally Authorized by any Federal entity? If so, which agency?

13. as the prospective borrower consulted with any USACE Districts and/or Divisions offices? If so, provide the contact information for the project manager and/or the regulatory point of contact.

14. **Provide** any analysis completed in support of the project(s) scope, cost, schedule, contingency plans, and status of project design (including a consideration for cost overruns). Additionally, please provide any alternative analysis and the justification for selected approach. List referenced documents below and provide as attachments.

15. Discuss issues that may affect the development and financing of the project(s) (e.g., community support, pending legislation, litigation, etc.)

16. Describe community outreach efforts conducted to date and planned for the project(s).

17. be the operation and maintenance of the project(s), including any contractual arrangements that may impact the operation of the project(s).

18. Describe authorizing actions (e.g., local vote, board vote, ordinance, etc.) that would need to occur to enter into a loan agreement with the CWIFP.

19. Is the project currently undergoing, or has previously undergone, environmental review by a State or Federal agency?

- a. Yes If so, describe the status of the environmental review. Provide relevant environmental review documents as attachments.
- b. No If not, describe any potential environmental impacts related to NEPA, NHPA Section 106, or ESA Section 103.

20. Describe the status of any permits and approvals that the project(s) may require.

Major Permits or Approvals Required	Approving Authority	Status	Expected Approval Date

III. Financing Plan

1. Complete the sources and uses of funds table for the construction period(s), including the requested CWIFP assistance.

Sources Category	Estimated Dollar Amount (\$)	Percentage of Total (%)
1. CWIFP Loan		
2. Revenue Bonds		
3. Federal Grants		
4. Other Federal Funding		
5. State-Appropriated Funding		
6. Borrower Cash		
7. Other: _____		
8. Other: _____		
TOTAL SOURCES		
Sources Category	Estimated Dollar Amount (\$)	Percentage of Total (%)
1. Construction		
2. Design		
3. Planning		
4. Land Acquisition		
5. Other Capital Costs		
6. Contingency		
7. Total Capital Costs		
8. Other: _____		
9. Other: _____		
10. Ineligible Costs (if applicable)		
TOTAL USES		

2. Provide a narrative on the dedicated source of repayment for the CWIFP loan, including how the revenues are generated, historic receipts and assumptions related to future growth.

3. **Identify the sources of security for the CWIFP loan**, addressing all sources of repayment, how such sources will be secured, the relationship (lien priority) of the CWIFP loan to existing and future borrowings secured by the same source of repayment.

4. Provide any existing ratings on the security pledged for repayment of the CWIFP loan (if available) or a description of how the senior debt obligations will garner an investment grade rating. Attach rating letters, if available.

5. Describe the availability and credit terms of the other project funding sources presented in the sources and uses of funds table requested under Question 3 above.

6. Describe the requested terms of the CWIFP credit assistance, including:

- a. Assumed disbursement period.
- b. Whether interest will capitalize during construction.
- c. Amortization structure (e.g., straight-line or sculpted).
- d. Repayment term and maturity date (years).
- e. State whether the CWIFP loan will be issued on a senior or subordinate lien.
- f. Identify key covenants supporting credit quality (e.g., rate covenant).

7. Provide year-end audited financial statements for the past two years, as available as an attachment. If applicable, provide an additional two years of financial statements for special backing entities.
8. Attach a summary financial pro forma which presents key revenue, expense, and debt repayment assumptions for the revenue pledged to repay the CWIFP loan including ten forecast years and up to three years of historical data, as available. The pro forma should be provided in an editable Microsoft Excel format, not in PDF or "values" format. The pro forma should include at a minimum the following:
 - a. Sources of revenue.
 - b. Operations and maintenance expenses.
 - c. Dedicated source(s) of repayment.
 - d. Capital expenditures.
 - e. Debt service payments and reserve transfers, broken down by funding source and including the CWIFP credit assistance.
 - f. Projected debt service coverage ratios for total existing debt and the CWIFP debt.
 - g. The borrower's debt balances broken down by funding sources.
 - h. Equity distributions, if applicable.

IV. Selection Criteria

For each selection criterion, provide a response explaining the extent to which the project seeking the CWIFP loan relates to the criterion.

1. National or Regional Significance

The extent to which the project is nationally or regionally significant, with respect to the generation of economic and public benefits, such as (1) the reduction of flood risk, (2) the improvement of water quality and quantity, including aquifer recharge, (3) the restoration of degraded aquatic ecosystem structures, and (4) the support of domestic and international commerce.

2. Financing Plan

The extent to which the project financing plan includes public or private financing in addition to CWIFP credit assistance.

3. Readiness to Proceed

The likelihood that CWIFP credit assistance would enable the project to proceed at an earlier date than the project would otherwise be able to proceed.

4. New or Innovative Approaches

The extent to which the project uses new or innovative approaches.

5. Required Budget Authority

The amount of budget authority required to fund the CWIFP Federal credit instrument.

6. Protection Against Extreme Weather Events and Protection of the Environment

The extent to which the project (1) protects against extreme weather event, such as floods or hurricanes, or (2) helps maintain or protect the environment.

7. Serves Energy Exploration or Production Areas

The extent to which a project serves regions with significant energy exploration, development, or production areas.

8. Serves Regions with Water Resource Challenges

The extent to which a project serves regions with significant water resource challenges, including the need to address (1) water quantity concerns related to groundwater, surface water, or other water sources, (2) significant flood risk, (3) water resource challenges identified in existing regional, State, or multistate agreements, or (4) water resources with exceptional recreational value or ecological assistance.

9. Addresses Identified Priorities

The extent to which the project addresses identified municipal, State, or regional priorities.

10. Readiness to Proceed

The readiness of the project to proceed toward development, including a demonstration by the obligor that there is a reasonable expectation that the contracting process for construction of the project can commence by not later than 90 days after the date on which a Federal credit instrument is obligated for the project under CWIFP.

11. Reduction of Federal Assistance

The extent to which CWIFP credit assistance reduces the contribution of Federal assistance to the project.

12. Serves Economically Disadvantaged Communities

The extent to which the project serves economically disadvantaged communities, defined as communities where the median household income is less than 80% of the State median household income.

13. Non-Federal Ownership, Operation, and Maintenance

The extent to which the project will be non-Federally owned, operated and maintained.

V. Contact Information

1. Primary point of contact

Name:
Title:
Organization:
Street Address:
City/State/Zip:
Phone:
E-mail:

2. Secondary point of contact

Name:
Title:
Organization:
Street Address:
City/State/Zip:
Phone:
E-mail:

VI. Federal Requirements

- 1. National Environmental Policy Act:** The interested party acknowledges that any project receiving credit assistance under this program must comply with all provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
- 2. American Iron and Steel:** The interested party acknowledges that any project receiving credit assistance under this program for the construction, alteration, maintenance, or repair of a project may only use iron and steel products produced in the United States and must comply with all applicable guidance.
- 3. Prevailing Wages:** The interested party acknowledges that all laborers and mechanics employed by contractors or subcontractors on projects receiving credit assistance under this program shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor, in accordance with sections 3141-3144, 3146, and 3147 of Title 40 (Davis-Bacon wage rules).
- 4. Lobbying:** Section 1352 of Title 31, United States Code provides that none of the funds appropriated by any Act of Congress may be expended by a recipient of a contract, grant, loan, or cooperative agreement to pay any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, or an employee of a Member of Congress in connection with the award or making of a Federal contract, grant, loan, or cooperative agreement or the modification thereof. This provision is interpreted to include the use of appropriated funds to influence or attempt to influence the selection for assistance under the CWIFP.
 CWIFP interested parties must file a declaration: (a) with the submission of an application for CWIFP credit assistance; (b) upon receipt of CWIFP credit assistance (unless the information contained in the declaration accompanying the CWIFP application has not materially changed); and (c) at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the information contained in any declaration previously filed in connection with the CWIFP credit assistance.

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

5. *Debarment:* The undersigned further certifies that it is not currently, nor has it been in the preceding three years: 1) debarred, suspended, or declared ineligible from participating in any Federal program; 2) formally proposed for debarment, with a final determination still pending; 3) voluntarily excluded from participation in a Federal transaction; or 4) indicted, convicted, or had a civil judgment rendered against it for any of the offenses listed in the Regulations Governing Debarment and Suspension (Governmentwide Nonprocurement Debarment and Suspension Regulations: 2 C.F.R. Part 180 and Part 1532.
6. *Default/Delinquency:* The undersigned further certifies that neither it nor any of its subsidiaries or affiliates are currently in default or delinquent on any debt or loans provided or guaranteed by the Federal Government.
7. *Other Federal Requirements:* The interested party acknowledges that it must comply with all other federal statutes and regulations, as applicable.
8. *Signature:* By submitting this preliminary application, the undersigned certifies that the facts stated and the certifications and representations made in this preliminary application are true, to the best of the interested party's knowledge and belief after due inquiry, and that the interested party has not omitted any material facts. The undersigned is an authorized representative of the interested party.

Name:

Title:

Organization:

Street Address:

City/State/Zip:

Phone:

E-mail:

Name

Date

Signature