

Extra Information
#7A

3/9/09

Maryjane Kenney

From: Steve Ledoux
Sent: Monday, March 09, 2009 4:30 PM
To: Board of Selectmen
Subject: FW: State Revolving Fund
Importance: High
Attachments: SRF-Letter.pdf

For Discussion tonight

Steven L. Ledoux
Town Manager
472 Main St
Acton, MA 01720
Telephone:(978) 264-9612
Fax: (978) 264-9630

When writing or corresponding, please be aware that the Secretary of State has determined that most email is a public record and, therefore, may not be kept confidential.

From: Steve Ledoux
Sent: Monday, March 09, 2009 3:58 PM
To: Lauren Rosenzweig
Subject: FW: State Revolving Fund

Steven L. Ledoux
Town Manager
472 Main St
Acton, MA 01720
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From: Doug Halley
Sent: Thursday, March 05, 2009 2:11 PM
To: Steve Ledoux
Subject: State Revolving Fund

As expected please find the anticipated letter from Steve McCurdy regarding a response to the SRF program by next Friday.



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RECEIVED

MAR 05 2009

ACTON BOARD OF HEALTH

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

Dear SRF Applicant:

As you surely know, President Obama signed the American Recovery and Reinvestment Act on February 17, 2009. The ARRA provided \$4B in Clean Water SRF, and \$2B in Drinking Water SRF grants to the states. The Massachusetts shares of those amounts are roughly \$130M for CW and \$50M for DW. MassDEP is presently working with Governor Patrick's Administration on a strategy to most efficiently invest those funds into SRF projects, in accord with the Congressional requirements that came with the funds.

Your community has a construction project proposal that is on the Clean Water SRF Intended Use Plan (IUP), which makes the project eligible for SRF financing under federal and state requirements. Projects not appearing on an IUP are not SRF eligible. Since the project is SRF eligible, it is also eligible for Stimulus financing. However, because it is newly listed on the Intended Use Plan, it is not currently evident to MassDEP that the project could meet the Congressional requirement that all stimulus-subsidized contracts be under construction within one year of ARRA, namely by 2-17-2010. The short deadline is reduced even more in New England, where snowfall limits street openings after November. Therefore, projects that are going to receive any stimulus benefit are genuinely going to have to move at a speed far in excess of the usual.

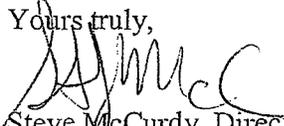
The fact that your project is new to the Intended Use Plan will not preclude it from stimulus. We will however, require evidence that you can meet the Congressional deadline, before committing any stimulus to the financing package. In this case, the evidence is that the project has its local borrowing authorization, its necessary permits and its 100% design completed in time to allow DEP review, bidding, contractor selection and construction initiation before this fall's construction season comes to a close. **To accomplish that end, all of that material would have to be in to MassDEP not later than August 1, 2009.** Only contracts initiated before 12-17-2010 will be eligible for Stimulus subsidy, so if your project is multi-phased, please be aware that the phases beginning after 2-17-2010, will not receive Stimulus.

If you have a legitimate expectation that you can meet the Congressional deadline requirements, I urge you to send me on official letterhead-(PDF is acceptable) a message of commitment to meet the August 1 deadline that includes the following: 1) Date of Local Appropriation approval and amount. 2) list of permits required and expected date of approval, 3) Name of Engineering company producing the project design and expected date of delivery for 100% plans and

specifications. As you can deduce, time is of the essence, so therefore **I ask that you respond affirmatively, not later than close of business, Friday March 13, 2009.**

In order to broaden the reach of the stimulus funds, we will attempt to distribute the available money across all of the shovel-ready projects. While I would like to tell you with certainty what the stimulus would mean to your project, until I am in the position of knowing the number and cost of all shovel-ready projects, it will not be possible to predict, except to say that it will likely be an improvement over the standard 2% SRF loan interest rate.

Yours truly,



Steve McCurdy, Director
MassDEP Municipal Services

March 13, 2009

Steve McCurdy, Director
MassDEP Municipal Services
Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs
Department of Environmental Protection
One Winter Street
Boston, MA 02108

Dear Mr. McCurdy:

The Town of Acton was pleased to receive your recent letter regarding MassDEP's efforts to efficiently invest the American Recovery and Reinvestment Act (ARRA) funds into State Revolving Fund (SRF) projects. As you know Acton has a construction project proposal (SRF ID #3203) that is on the Intended Use Plan which we believe to be a good match for the ARRA Funds.

The Town is aware of the Congressional deadline for all stimulus subsidized contracts to be under construction no later than February 17, 2010. This letter is written to express the Town's legitimate expectation that SRF ID #3203 will meet the three requirements listed in your letter, prior to August 1, 2009, as follows:

1) Date of Local Appropriation approval and amount?

The FY2010 Annual Town Meeting has been scheduled for April 9, 2009 and the warrant has been closed. It is currently under review by the appropriate Town Committees. It currently does not include an article for the Local Appropriation approval of the \$4.65M the Spencer/Tuttle/Flint Area Gravity Sewer Extension as included in the 2010 SRF Clean Water IUP.

The Town is open to holding a Special Town Meeting prior to June 30, 2009 specifically for the Local Appropriation approval of this once the available financial terms of American Recovery and Reinvestment Act funding are understood. This is a viable project that will achieve the intent of Obama Administration to stimulate the economy by providing construction jobs while protecting public health and safety. With advantageous financial terms, including principle forgiveness or negative interest loans, we feel this project will move forward. If the financial terms of the American Recovery and Reinvestment Act funding are made available to Acton, we will push to have the Local Appropriation in place within 90 days.

2) List of permits required and expected date of approval?

If special Town Meeting approves the project, the following permits will be obtained:

Notice of Intent by July 15, 2009

MassHighway: Permit to Access State Highway by July 15, 2009

3) Engineer producing the project design and expected date of delivery for 100% plans and specs?

Woodard and Curran, Attn: Joseph D. Shea, PE

980 Washington Street Suite 325

Dedham, MA 02026

Expected date of delivery for plans & specs: July 31, 2009

Should there be any questions regarding Acton's project or the information listed above please contact Doug Halley, Health Director at 978-264-9634.