

CWSRF/DWSRF FINAL BUDGET APPROVAL (FBA) REQUEST FORM

The Final Budget Approval (FBA) Form and all attachments should be submitted as soon as possible after the bid or proposal opening to ensure all applicable requirements have been met. Failure to meet all applicable requirements may result in a loss of funding. The FBA Form and attachments should be submitted electronically or as a hard copy in one of the following three ways. Applicants are encouraged to utilize the Financial Assistance Application Submittal Tool (FAAST) to streamline the application submittal and review process, but if online submittal creates a hardship, email or mail can be utilized. Failure to receive Division approval of the final budget, either via letter or formal Financing Agreement amendment, may result in the construction work being ineligible for reimbursement.

- 1.) Apply online via the FAAST: <https://faast.waterboards.ca.gov>

If you need assistance, you can contact the FAAST Help Desk at 1-866-434-1083 or FAAST_ADMIN@waterboards.ca.gov.

- 2.) To submit an FBA Package via email, please use the following email addresses:

For Clean Water State Revolving Fund (CWSRF) Program:

CleanWaterSRF@waterboards.ca.gov

For Drinking Water State Revolving Fund (DWSRF) Program:

DrinkingWaterSRF@waterboards.ca.gov

- 3.) To submit a CWSRF or DWSRF Program FBA Package via mail, please use the following address:

State Water Resources Control Board
Division of Financial Assistance
P.O. Box 944212
Sacramento, CA 94244-2120

Final Budget Approval (FBA) Request Form Instructions

Section I - General Information

Recipient Name – Enter the entity that is the legal signatory to the Financing Agreement.

Financing Agreement Number – Enter the recipient's Financing Agreement number.

State Assigned Project Number – Enter the recipient's assigned Project number that appears on the Financing Agreement.

Section II - Pre-Construction Requirements

Project Scope of Work Change – If the Recipient is requesting a change to the project scope of work, please describe the change and answer the California Environmental Quality Act (CEQA) questions. An amendment to the Financing Agreement would be required to change the scope of work. If there are no changes to the project scope of work, continue to the next question.

Material Changes – Identify any material changes to the Recipient’s financial condition or to the “potential flags” information since the Recipient’s submitted its application for financial assistance to the State Water Board. Material changes may include, but are not limited to, securing a new debt/loan; recently being involved in litigation, investigation, or enforcement actions; recently operating in a deficit; rate protest or rate litigation; recent or pending sale of assets; change of ownership, management, or operation; significant disagreement in the community about the project; etc. Please discuss any factors that were not previously disclosed to the State Water Board, as well as any factors that have arisen since the execution of the Financing Agreement, that affect the Recipient’s financial or management capacity or the Recipient’s ability to complete, operate, and maintain the project.

Conditions Precedent to Construction and Reimbursement of Eligible Costs – If the Financing Agreement includes conditions that must be met prior to construction contract award, commencement of construction, or related to submission of construction cost reimbursement requests, verify that the Recipient has met these conditions and attach copies of documents that verify meeting the conditions as Attachment M (see section VI). Conditions may include but are not limited to any property rights and water rights conditions, Technical, Environmental, and Financial special conditions in Exhibit D of the Financing Agreement. If conditions have not been met, explain. If there are no such conditions, continue to the next question.

Section III - Project Bidding and Award

Construction Contract Information – Provide the date of start of construction or notice to proceed and the anticipated completion of construction date. An amendment to the Financing Agreement would be required to extend the completion of construction date in the initial Financing Agreement.

California Department of Industrial Relations (DIR) – If the Project will be completed via contractor, provide the DIR Project Identification number:
https://services.dir.ca.gov/gsp?id=dir_projects&table=x_cdoi2_csm_portal_project. The Recipient must monitor all agreements subject to reimbursement from this Agreement to ensure that the applicable prevailing wage provisions of the State Labor Code are being met.

Bid Protest information – Respond to the question regarding whether any protests have been received regarding award of the construction contract. If yes, provide the date that protests were resolved and attach copies of protests and resolutions. If no, continue to the next question.

Contractor Debarred/Disqualified – Respond to the question regarding whether the selected contractor(s) are debarred or disqualified from SRF funding participation. Debarred/Disqualified lists can be found at:

- 1.) Federal Debarred List: www.sam.gov;
- 2.) California or Water Board Debarred Lists

California State Water Resources Control Board:
https://www.waterboards.ca.gov/water_issues/programs/enforcement/fwa/dbp.html

California Department of Industrial Relations:
<https://www.dir.ca.gov/dlse/debar.html>

California Department of General Services:
<https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/SB-DVBE-Program-Violations-and-Sanctions>

Section IV – Project Construction Budget

Project Budget Table – Complete the Project Budget table for both columns to indicate Total Project Costs for each budget item and Total Requested Financing for each budget item. Total Project Costs are the currently estimated project costs that include both existing and new financing, including newly requested financing, from all sources. Total Requested Financing is the existing financing under the current Financing Agreement and additional financing being requested from DFA to be added under the Financing Agreement.

- A. Construction** – Identify the selected contractor(s). If the project has multiple phases that will require multiple contractors, please list future contractors as “To Be Determined” and include an estimated cost for additional phases, if applicable.
- B. Pre-purchase Material / Equipment**
- C. Real Property / Easement Acquisition**
- D. Change Order Contingency** - The amount is a percentage of the Total Project Costs that may be used for construction Change Orders. The amount is subject to any applicable limits in the CWSRF/DWSRF Policy or CWSRF/DWSRF Intended Use Plan.
- E. Force Account**
- F. Allowances (Soft Costs):**
 - 1. Planning
 - 2. Design
 - 3. Construction Management
 - 4. Administration
- G. Additional Cost Item** – This can be used only if Financing Agreement has established an additional line item. Please describe the additional items in the Construction Budget Table.
- H. Total Project Costs / Total Requested Financing** – Please check that total financing amount equals the sum of all other budget items for both columns. Please also indicate if this FBA is requesting a cost increase to the Financing Agreement.

Section V – Financing Summary

Financing Source Summary Table – Complete the Financing Source Summary table to detail project financing sources. The Amount Approved/Secured are sources committed to the Project. The Additional Amount Requested/Pending are sources that have not been committed to the Project but are pending approval.

Requested Financing under the Financing Agreement – List the existing financing amounts as shown in the current Financing Agreement in the Amount Approved/Secured column, and any additional financing being requested in the Amount Requested/Pending column. Additional financing above the existing amount in the Financing Agreement is not guaranteed, is subject to Division review and approval, and is not available without an amendment to the Financing Agreement.

- A. Loan Financing** – Enter total amount of repayable Project financing.
- B. Grant/Principal Forgiveness (PF)** – Enter total amount of Grant/PF. Additional Grant/PF is dependent on availability.
- C. SRF Local Match Share** – Enter total amount of SRF Local Match Share. Match share is only applicable if Match Financing has been requested by Recipient per the Clean Water SRF Policy or the Drinking Water SRF Policy.
- D. Total Requested Financing** – This is the total amount of financing requested by the Recipient under the Financing Agreement. Calculate total requested financing by adding A, B, and C. This amount should match the Total Requested Financing from Section IV – Project Construction Budget.

Other Financing from DFA

- E. Other DFA Financing** – Identify other existing or pending financing from a separate DFA agreement.

Other Funding Sources – This should include any Project Financing not requested from DFA

- F. Cash** – Recipient cash used to cover any Project Costs
- G. Grants** – List amount of grant funds and identify source (this should not include any grant/PF funds requested from DFA). In the space to identify source, please also indicate if these funds are secured or pending.

- H. **Bond Proceeds** – List total project financing provided by bond sale proceeds and identify source.
- I. **Short term loans or notes** – List project financing provided by short term loans or notes and identify source.
- J. **Other Funds** – List any other project financing provided via other funds and identify source. (This may include financing from other state or federal agencies USDA, WIFIA, etc.)
- K. **Total Other Funding** – This is the total amount of other funding (no requested through DFA) used by the Recipient to cover Total Project costs. Calculate total other funding by adding F, G, H, I, and J above.
- L. **Total Project Costs** – The Total Project Costs can be calculated by adding D Total Requested Financing, E Other DFA Financing, and K Total Other Funding. This amount should match the Total Project Cost from Section IV – Project Construction Budget.

Section VI – Attachments

The following items should be provided with the FBA Package. If any items are not applicable, please check the appropriate box to indicate so.

- A. **Bid Protests and Resolutions** – If applicable, provide all documentation for any bid protests received and the resolution for each.
- B. **Plans & Specifications or Request for Proposals** – Provide as advertised Plans & Specifications (P&S) or Request for Proposals (RFP) stamped by a Professional Engineer and all addenda.
- C. **Davis-Bacon** – If required by the Financing Agreement, provide Davis-Bacon wage rate determinations and proof of inclusion in P&S or RFP used for bidding purposes.
- D. **Final or Updated Waste Discharge Requirements** – If applicable, provide a copy of final or updated Waste Discharge Requirements for the Project.
- E. **Tabulation of bids/proposals** – Provide a tabulation of all bids or proposals received for the Project.
- F. **Copy of selected bid/proposal** – Provide a copy of the bid(s) or proposal(s) selected and purchase order issued. If the apparent low bid or proposal was rejected, provide a complete explanation for the rejection.
- G. **Schedule of Values or Bid Items** – Provide a copy of the Schedule of Values (if available) or Bid Items prepared for the Project.
- H. **Evidence of Advertising** – Submit a copy of all advertisements issued for the Project.
- I. **Disadvantaged Business Enterprise** – If required by the Financing Agreement, provide a copy of the Disadvantaged Business Enterprise (DBE) documentation. Information and guidance on DBE can be found at:
http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/policy0513/dbe_compliance_guidelines_instructions.pdf
- J. **Notice(s) to Proceed (if available)** – Provide copies of all Notice(s) to Proceed issued for the Project. If not yet issued, provide an estimated date that the NTP will be provided. If the Notice to Proceed is not available, the Notice of Award may be submitted in the interim.
- K. **Signed Construction Contract (if available)** – Provide a copy of the signed Construction Contract for the selected bid which includes the final Davis-Bacon wage rate determinations for the Project.
- L. **Value Engineering** – If applicable, provide Value Engineering Study with recommendations and responses. Costs should be included in the design allowance line item.
- M. **Any items required by special conditions** – If applicable, provide any additional documentation required by the Exhibit D Special Conditions of the Financing Agreement.
- N. **Reimbursement Resolution (Loan projects only)** – Confirm with the Project Manager whether an updated Reimbursement Resolution is required. An updated Reimbursement Resolution is most often required for amendments to the Financing Agreement (including but not limited to budget increases above the Financing Agreement amount, changes to the scope of work, or changes to the project schedule). However, DFA reserves the right to require an updated Reimbursement Resolution from any Recipient eligible to receive tax-exempt bond proceeds, based on the most recent advice from DFA's tax counsel. The Reimbursement Resolution template can be found at:
For Clean Water SRF:
https://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/2022/application-financial-package.pdf

For Drinking Water SRF:

https://www.waterboards.ca.gov/drinking_water/services/funding/documents/2022/h5-dwsrf-application-const-financial.pdf

- O. Tax Questionnaire (Loan projects only)** – Confirm with the Project Manager whether an updated Tax Questionnaire is required. An updated Tax Questionnaire is most often required for amendments to the Financing Agreement (including but not limited to for budget increases above the Financing Agreement amount, changes to the scope of work, or changes to the project schedule). However, DFA reserves the right to require an updated Tax Questionnaire from any Recipient eligible to receive tax-exempt bond proceeds, based on the most recent advice from DFA’s tax counsel. The Tax Questionnaire template can be found at:

For Clean Water SRF:

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/2022/application-financial-package.pdf

For Drinking Water SRF:

https://www.waterboards.ca.gov/drinking_water/services/funding/documents/2022/h5-dwsrf-application-const-financial.pdf

Section VII – Huawei Technologies Company Acknowledgement

Complete this section if the Financing Agreement includes certification with respect to Huawei Technologies and other prohibited telecommunications equipment.

Effective October 1, 2019, EPA General Terms and Conditions have placed SRF funding prohibitions on certain telecommunications and video surveillance services or equipment. As required by 2 CFR 200.216, borrowers under EPA funded revolving loan fund programs are prohibited from obligating or expending loan or grant funds to procure or obtain equipment, services, or systems from Huawei Technologies Company or ZTE Corporation.

By checking the box, the authorized representative acknowledges awareness of these requirements and certifies that no SRF funds will be used on prohibited telecommunications equipment. This does not prohibit this equipment from being used in the Project, but it may not be reimbursed under SRF financing. Additional information about these requirements may be found at: https://www.epa.gov/sites/production/files/2019-09/documents/fy_2020_epa_general_terms_and_conditions_effective_october_1_2019.pdf

Section VIII – Supplemental Financial Certification

Complete if receiving 100% non-repayable financing **and** requesting a cost increase. If the Recipient is unable to certify all conditions listed, a follow-up financial review may be required prior to FBA approval.

Section IX – Advance Pay

Complete if requesting Advance Pay be added to your agreement. The Advance Payment (AP) Program helps eligible drinking water projects serving small DACs with cash flow by allowing payments in advance of project expenses. For details, see the [AP Guidelines](#). If eligible, your PM will guide you through the next steps, including completing the [AP Request Form](#).

Certification and Signature of Authorized Representative

- ✓ Review the certification and ensure that the FBA Form is accurate.
- ✓ Print the name and title of the authorized representative.
- ✓ Sign and date the FBA Form.

Final Budget Approval (FBA) Request Form

I. GENERAL INFORMATION		
1. Recipient Name:	2. Financing Agreement Number:	3. State Assigned Project Number:
II. PRE-CONSTRUCTION REQUIREMENTS		
1. Is the Recipient requesting a change to the project's scope of work outlined in Exhibit A of the Financing Agreement? <input type="checkbox"/> Yes, describe below <input type="checkbox"/> No, skip to next question		
<div style="border: 1px solid black; height: 80px; width: 100%;"></div>		
Is the revised scope outside the scope of the existing CEQA document? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If yes, has an addendum or other subsequent or supplemental CEQA document been submitted to the Division for review? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Note: Changes to the scope of work may necessitate a Financing Agreement amendment which will delay FBA approval.		
2. Have there been any material changes to the Recipient's financial condition or to the "potential flags" information since the Recipient submitted its application for financial assistance to the State Water Board? <input type="checkbox"/> Yes, describe below <input type="checkbox"/> No, skip to next question		
<div style="border: 1px solid black; height: 80px; width: 100%;"></div>		
3. Have the condition(s) of the Financing Agreement prior to award of the construction contract, commencement of construction, or/and prior to/together with the submission of reimbursement requests for construction costs been satisfied? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If yes, attach any document(s) required to demonstrate compliance with special condition(s) as Attachment M (see section VI). If no, explain.		
<div style="border: 1px solid black; height: 100px; width: 100%;"></div>		
III. PROJECT BIDDING AND AWARD		
1. Construction Contract information: Start Construction/Notice to Proceed Date: _____ Completion of Construction Date: _____		
2. Is the Recipient registered as an awarding body with California Department of Industrial Relations (DIR)? <input type="checkbox"/> Yes, DIR Project Identification # _____ <input type="checkbox"/> No, Force Account		

3. Have any protests regarding award of the construction contracts been received? Yes No
 If yes, date protests were resolved: _____ Attach copies of protests and resolutions.
 Note: All protests must be resolved before submittal of this form.

4. Is the selected Contractor Debarred or Disqualified from State Revolving Fund (SRF) participation? Yes No

IV. PROJECT CONSTRUCTION BUDGET

BUDGET ITEMS	Total Project Costs	Total Requested Financing
A. Construction (listed by name of prime contractor or vendor):		
1.	\$	\$
2.	\$	\$
B. Pre-Purchase Material / Equipment	\$	\$
C. Real Property / Easement Acquisition	\$	\$
D. Change Order Contingency	\$	\$
E. Force Account	\$	\$
G. Allowances (Soft Costs):		
1. Planning	\$	\$
2. Design	\$	\$
3. Construction Management	\$	\$
4. Administration	\$	\$
F. Additional Cost Item (as listed in the Financing Agreement):	\$	\$
H. Total Project Costs / Total Requested Financing		
Is the Recipient requesting an increase to the Financing Agreement? <input type="checkbox"/> Yes <input type="checkbox"/> No	\$	\$

V. FINANCING SUMMARY

FINANCING SOURCE SUMMARY	Amount Approved / Secured	Additional Amount Requested / Pending
Requested Financing under the Financing Agreement		
A. Loan Financing, Identify:	\$	\$
B. Grant/PF, Identify:	\$	\$
C. SRF Local Match Share (if applicable)	\$	\$
D. Total Requested Financing (sum A through C)	\$	
Other Financing from DFA		
E. Other Financing from DFA, Identify:	\$	
Other Funding Sources		
F. Cash	\$	\$
G. Grants, Identify:	\$	\$
H. Bond Proceeds, Identify:	\$	\$
I. Short term loans or notes, Identify:	\$	\$
K. Other Funds, Identify:	\$	\$
J. Total Other Funding (sum F through K)	\$	
L. Total Project Cost (add D+E+J)	\$	

VI. ATTACHMENT CHECKLIST

Check the box next to each item attached to your application. If an item is not attached at the time you submit the FBA form, please indicate in the space provided below when you anticipate submitting it.

- A – Bid protests and resolution documentation N/A
- B – Plans & Specifications (P&S) stamped by a Professional Engineer and all Addenda or final Request for Proposals (RFP)
- C – Davis-Bacon wage rate determinations and proof of inclusion in P&S or RFP used for bidding N/A
- D – Final or updated Waste Discharge Requirements N/A
- E – Tabulation of all bids or proposals received
- F – Copy of bid(s) or proposal(s) selected and purchase orders issued. If the apparent low bid or proposal was rejected, provide a complete explanation for the rejection.
- G – Copy of Schedule of Values prepared for the Project N/A
- H – Evidence of advertising (submit copies of all advertisements for the project)
- I – Disadvantaged Business Enterprise (DBE) documentation N/A
- J – Notice(s) to Proceed N/A - Not yet issued
- K – Signed Construction Contract that includes final Davis-Bacon wage rate determinations N/A - Not yet issued
- L – Value Engineering Study with recommendations and responses N/A
- M – Any items required by special conditions in the Financing Agreement Exhibit D N/A
- N – Reimbursement Resolution N/A
- O – Tax Questionnaire N/A

VII. HUAWEI TECHNOLOGIES COMPANY/ZTE CORPORATION (2 CFR 200.216) N/A

- By checking this box I certify that:
No SRF Project Funds will be used on telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities), telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities), or otherwise in violation of 2 CFR 200.216.

VIII. SUPPLEMENTAL FINANCIAL CERTIFICATION (Complete if receiving 100% non-repayable financing and requesting a cost increase) N/A

- By checking the following boxes, I certify that:
- No substantive changes to the Project scope have occurred;
 - There have been no increases to anticipated operation and maintenance (O&M) costs since the original application materials were submitted;
 - The Recipient has maintained compliance with all material agreement conditions in all outstanding State Water Board obligations to date;
 - The Recipient has reviewed the notice requirements in the Financing Agreement, and certifies that there have been no notice events relevant to the Recipient's financial condition; and

- The Recipient has made DFA aware of any new information that may materially and adversely affect the financial condition of the Recipient, the Project, or the System.

IX. ADVANCE PAY

The Advance Payment (AP) Program helps eligible drinking water projects serving small DACs with cash flow by allowing payments in advance of project expenses. For details, see the [AP Guidelines](#). If eligible, your PM will guide you through the next steps, including completing the [AP Request Form](#). Would you like to discuss requesting AP for your project?

Yes No

CERTIFICATION AND SIGNATURE OF AUTHORIZED REPRESENTATIVE

The undersigned Authorized Representative of the applicant certifies that the information contained above and in attached documents and material in support thereof are true and correct. In addition, the undersigned Authorized Representative of the applicant certifies that the applicant has completed compliance or will comply with all applicable federal and state laws and any other applicable requirements, including but not limited to all terms and conditions of the Financing Agreement.

Name of Authorized Representative: _____ Title: _____

Signature of Authorized Representative: _____ Date: _____