

RESOLUTION TAKING RESOLUTION NO. 2024-72 FROM THE TABLE AND AUTHORIZING ASHTABULA COUNTY BOARD OF COMMISSIONERS TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE COUNTY OF ASHTABULA FOR THE CONSTRUCTION OF AMI METER REPLACEMENTS; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN

WHEREAS, the County of Ashtabula seeks to upgrade its existing wastewater facilities; and

WHEREAS, the County of Ashtabula intends to apply for Water Pollution Control Loan Fund (WPCLF) for the construction of the wastewater facilities; and

WHEREAS, on January 23, 2024, Resolution Number 2024-72 was laid on the table to give the County Prosecutor time to review the documents and provide a site title opinion; and

WHEREAS, the Board of Commissioner is now in receipt of said opinion and said resolution is now taken from the table and approved; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now

THEREFORE, BE IT RESOLVED by the Board of the County of Ashtabula, Ohio:

SECTION 1. That Kathryn Whittington, President of the Board, be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund (WPCLF) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for construction of wastewater facilities on behalf of the County of Ashtabula, Ohio.

SECTION 2. That the dedicated source of repayment will be the Sewer Fund 6001 and Water Fund 6002.

SECTION 3. That is resolution shall take effect and be in force from and after the earliest period allowed by law.

**ASHTABULA COUNTY COMMISSIONERS
CERTIFICATION PAGE**

Resolution No. 2024-72

January 30, 2024

RESOLUTION TAKING RESOLUTION NO. 2024-72 FROM THE TABLE AND AUTHORIZING ASHTABULA COUNTY BOARD OF COMMISSIONERS TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE COUNTY OF ASHTABULA FOR THE CONSTRUCTION OF AMI METER REPLACEMENTS; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN

Upon the motion of J.P. Ducro IV, seconded by Kathryn L. Whittington.

VOTE:

**Kathryn L. Whittington
J.P. Ducro IV
Casey R. Kozlowski**

**Aye
Aye
Absent**

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.



Lisa Hawkins, Clerk of the Board
Board of County Commissioners
Ashtabula County, Ohio

1.0 Program Funding Selection

Please indicate what type of project funding is needed. **A selection must be made for the loan application to be reviewed.**

- Wastewater Water Pollution Control Loan Fund (WPCLF)
- Drinking Water Water Supply Revolving Loan Account (WSRLA)

2.0 Borrower's Information

Borrower (County, City, Village, or District): Ashtabula County Department of Environmental Services
 Borrower's Population: 67,014 County: Ashtabula Date of Application: 1/23/2024

3.0 Project Name and Description

Project Name: AMI and Meter Replacement

In the box below, please provide a brief description of the project requesting Ohio EPA funding.

Ashtabula County will replace the meters throughout the County's system.

**** Will land and/or easement acquisitions be required for this project?**

- Yes, please indicate acquisition commencement date(s).
- No additional land and/or easements are needed for the project.

* **Note:** If the site title opinion letter is not able to be sent with the loan application, it can be sent at a later date. However, this opinion **MUST** be submitted with the bid package for review.

** A Site Title Opinion Letter must be submitted and signed by the Borrower's Solicitor/Law Director, to insure legal vested interest in all real property for the project. **(Example see ATTACHMENT B)**

4.0 Funding Type and Proposed Loan Terms

Estimated Loan Amount: \$2,720,886.00 *This field autofills from Tab 4*

An estimated loan award date must be entered. This date should be the 1st of Month in which the loan would be awarded. This date is dependent on the type of loan that is requested, the estimated loan date will autofill on to TAB 3-Project Schedule.

Estimated Loan Award Date: 4/1/2024

Please consider my application for the following interest rate discount (construction loans only):

Wastewater Discounts:

- Green Project Reserve
- Nutrient Reduction
- Septage Facilities
- Water Resource Restoration Sponsor Program (WRRSP)
- Other: (Specify) _____

Water Discounts:

- Harmful Algal Bloom / Emerging Contaminants
- Lead Service Line Replacement
- Regionalization
- Other: (Specify) _____

**** Please select only ONE loan type****

The Borrower's interest rate will be determined based on the current year's Program Management Plan requirements. The first payment date must occur no later than 12 months after the project completion date. If you would like the repayment to begin earlier, please indicate a date. Payments are due semiannually: January 1 and July 1.

Planning Loan Planning loans have a maximum 5-year term.
First Payment Date: _____

Design Loan Design loans have a maximum 5-year term.

(Previous incurred project costs for Planning may be included in the design loan.)
First Payment Date: _____

Construction Loan Minimum 5-year term. Maximum 30-year term.

(Previous incurred project costs for Planning & Design may be included in the construction loan.)
Requested Term: 20 Years

First Payment Date: 7/1/2026

Supplemental Loan **Loan Number:** _____

**** Please complete the appropriate schedule on Tab 3 "Project Schedule" that correlates with the selected loan type.**

5.0 Contact Information

The authorized representative listed in Section 5.0 will be required to electronically sign the following documents after loan approval and prior to loan disbursement: Term Sheet and Payment Instruction Form. Signing these documents will require two factor authentication via SMS text message, which requires an accurate cellular phone number for the authorized representative.

**As a courtesy and if possible, please provide accurate cellular phone numbers for all contacts below.

Authorized Representative to Execute Contracts

Name	Kathryn L. Whittington	Title	President, Ashtabula County Commissioners
Address	25 West Jefferson St., 2nd Floor, Old Courthouse		
City	Jefferson	,Ohio	Zip 44047
Telephone	440-576-3757	Cell	440-994-9101
Email	KLWhittington@ashtabulacounty.us		

Address to Mail Loan Agreement (If different than Authorized Representative)

Name	Douglas G. Starkey	Title	Director, Department of Environmental Services
Address	ACDES - P.O. Box 520; 36 West Walnut Street		
City	Jefferson	,Ohio	Zip 44047
Telephone	440-576-3622	Cell	440-789-5721
Email	dgstarkey@ashtabulacounty.us		

Billing Notices

Name	Douglas G. Starkey	Title	Director, Department of Environmental Services
Address	ACDES - P.O. Box 520; 36 West Walnut Street		
City	Jefferson	,Ohio	Zip 44047
Telephone	440-576-3622	Cell	440-789-5721
Email	dgstarkey@ashtabulacounty.us		

Disbursements - Borrower's representative to contact regarding disbursement

Name	Douglas G. Starkey	Title	Director, Department of Environmental Services
Address	ACDES - P.O. Box 520; 36 West Walnut Street		
City	Jefferson	,Ohio	Zip 44047
Telephone	440-576-3622	Cell	440-789-5721
Email	dgstarkey@ashtabulacounty.us		

Consulting Engineer

Name	Robert (Bob) McNutt, P.E.	Title	Senior Project Engineer
Firm	CT Consultants, Inc.		
Address	3875 Embassy Pkwy, Ste. 200		
City	Akron	State, Zip	44333
Telephone	330-247-3733	Cell	330-697-0437
Email	BMcNutt@ctconsultants.com		

6.0 Project Schedules for Planning, Design & Construction

PLANNING SCHEDULE

1. **Submit complete Loan Application with dedicated source of repayment and draft engineering agreement with scope of planning activities to be funded through this loan (no later than 60 days prior to task 3)** _____
2. **Sign loan documents and return to DEFA (no later than 15 days prior to task 3)** _____
3. **We request a Planning Loan by (indicate the 1st of the Month in which Loan is requested)**
(Loan awards can be scheduled for January through October and December – no November scheduled awards) _____
4. **Project Completion Date (The date funded planning activities will be completed and submitted to Ohio EPA)** _____
5. **Initial Payment due to Ohio EPA program (January 1 or July 1 - within one year after the Project Completion)** _____

DESIGN SCHEDULE

1. **Submit approvable Facilities Planning information, including complete I/I Analysis (generally 120 days prior to task 4)** _____
2. **Submit a complete Loan Application which should include the borrowers financial information, a certified copy of legislation authorizing the borrower to enter into a Loan Agreement with Ohio EPA and OWDA (Example: see ATTACHMENT A), a copy of the utility's User Charge System & Use ordinance and the engineering agreements. (90 days prior to task 4)** _____
3. **Sign loan documents and return to DEFA (no later than 15 days prior to task 4)** _____
4. **We request a Design Loan by (1st of Month in which Loan is Awarded)** _____
5. **Project Completion Date (The date funded design will be completed and submitted to Ohio EPA)** _____
6. **Initial Payment due to Ohio EPA program (January 1 or July 1 - within one year after Project Completion)** _____

CONSTRUCTION SCHEDULE

- | | |
|--|-----------|
| 1. Submit approvable Facilities Planning Information, including complete I/I Analysis (generally 200 days prior to task 9) | submitted |
| 2. Submit complete Permit-to-Install application (if applicable), including application, review fee, detail plans, contract documents, and specifications (170 days prior to task 9) | N/A |
| 3. Submit a complete Loan Application which should include the borrowers financial information, a certified copy of legislation authorizing the Borrower to enter into a Loan Agreement with Ohio EPA and OWDA (Example: see ATTACHMENT A), a copy of the utility's User Charge System & Use ordinance and the engineering agreements. (150 days prior to task 9) | 1/22/2024 |
| 4. Submit Site Title Opinion Letter signed by Solicitor/Law Director (no later than 60 days prior to task 9) (Example: see ATTACHMENT B) | 1/22/2024 |
| 5. Advertise for construction bids (no later than 60 days prior to task 9) | 1/31/2024 |
| 6. Open construction bids (no later than 30 days prior to task 9) <u>Be sure to allow for a minimum of 60 days to award contracts</u> | 2/14/2024 |
| 7. Submit bid information to DEFA (no later than 21 days prior to task 9) | 3/6/2024 |
| 8. Sign loan documents and return to DEFA (no later than 7 days prior to task 9) | 3/22/2024 |
| 9. We request a Construction Loan by (1st of Month in which Loan is Awarded) | 4/1/2024 |
| 10. Estimated Initiation of Operation date (The date funded facilities will be in full operation as planned and designed) | 5/1/2025 |
| 11. Estimated Initial payment due to the Ohio EPA loan program (January 1 or July 1 - within one year after the Initiation of Operation) | 7/1/2026 |

9.0 Source of Pledged Revenues

To obtain a loan from Ohio EPA, the Borrower is required to pledge the user revenues derived from the ownership and operation of their system as a security instrument (i.e. collateral) for the repayment of the loan. It can also be used as the dedicated source of repayment. The user revenues, after deductions for the operating and maintenance and previous debt obligations, must be able to support the repayment of the loan. However, unless prohibited by law, the Borrower can also choose any of the following as a dedicated source of loan repayment, with the user rates remaining the collateral. **(Reference Article IV in the WPCLF and the WSRLA Standard Loan Agreement).**

Please indicate the intended source of loan repayment below. More than one source can be used.

Revenue from:

- User Charges
- Assessments - Provide authorizing legislation
- General Taxes
- Other: Indicate source Ashtabula County Water Fund 6001 (pay % of debt service)
- Other: Indicate source Contract services at Airport & Plant C; Investment Income & Refu

10.0 Revenue Analysis

Current Revenues (Last Audit Year):

			YEAR:	2021
User Classes	Total Revenue	Total Number of Users	Annual Revenue Per User	
Residential	\$2,138,970.24	2,441	\$876.27	
Commercial	\$512,645.76	140	\$3,661.76	
Industry / Gov.	\$291,677.76	2	\$145,838.88	
Other	\$329,883.94			
TOTAL	\$3,273,177.70	2,583		

Total Revenue should reconcile to the "Revenues to System" column on the Projection of Revenues (TAB 7) for the associated year.

Current Average Monthly Residential User Rate \$73.02

Projected Revenues for first year following project completion

			YEAR:	
User Classes	Projected Total Revenue	Projected Total Number of Users	Projected Annual Revenue Per User	
Residential	\$2,421,452.85	2,441	\$991.99	
Commercial	\$581,199.96	140	\$4,151.43	
Industry / Gov.	\$329,385,980.000	2	\$164,692,990.00	
Other	\$369,284,240.000			
TOTAL	\$701,672,872.81	2,583		

Total Revenue should reconcile to the "Revenues to System" column on the Projection of Revenues (TAB 7) for the associated year.

Projected Average Monthly Residential User Rate \$82.67

Ten Largest Users

Customer	% of Revenue
Flying J, Inc.	6.00%
Ashtabula County Nursing Home	2.50%
Pilot Travel 2000	2.00%
Saybrook Landing	2.00%
DNC Parks & Resorts at GSP	1.50%
Austinburg Nursing & Rehab	1.30%
Sav Lot #	1.00%
Engie Insight Services, Inc.	1.00%
Plastpro 2000, Inc.	0.85%
Lake Grov MHP LLC	0.59%

3-Year Revenue Allocation

Please provide the revenue allocation for 3 years ending with most recent audit.

Year autofills from TAB 5	2019	2020	2021
Revenue	\$2,920,759.00	\$3,084,948.13	\$3,273,177.70
Expenditures			
Operating Expenses	\$2,705,673.00	\$2,507,430.00	\$2,644,249.12
Debt Service Payments	\$246,633.65	\$214,079.65	\$216,057.22
Other:			\$31,604.32
Total Expenditures	\$2,952,306.65	\$2,721,509.65	\$2,891,910.66
Surplus or Loss	-\$31,547.65	\$363,438.48	\$381,267.04

Outstanding System Debt (do not include loan being applied for):

Debt Type	Debt Balance	Annual Payment	Final Payment Date
Ohio EPA Loans	\$236,627.23	\$77,418.71	2031
OWDA	\$8,232.00	\$5,701.04	2023
OPWC	\$440,786.45	\$44,596.58	2039
GO bonds			
Revenue Bonds	\$86,237.55	\$88,340.91	2022
USDA-RD Loans			
Other			
TOTAL	\$771,883.23	\$216,057.24	

The annual payment total will autofill in the current year debt service column on TAB 7 "Projection of Revenues" sheet.

2.0 Borrowers Credit Rating (If applicable)

	Moody's	S&P
General Obligation		
Water and Sewer Revenues		A+

3.0 Rate Schedule

Indicate the year of the last rate increase:

2024

What was the % of the last rate increase?

10.00%

Please describe the planned rate increases for the next 2 years:

2025 - 5%; 2026 - 5%

4.0 Capital Improvement Plan

Brief Description of Major Projects:

Coffee Creek WWTP Capacity expansion.

Ten Year Capital Improvement Plan:

Years	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
in 000's	3,000	604	385	390	300	250	250	250	250	250

Borrower: Ashtabula County Department of Environmental Services

Project Name: AMI and Meter Replacement

Year	Revenues to System Only	Operations, Maintenance & Replacement (O, M & R) Expenses	DEBT SERVICE paid from Revenue to the System (i.e. OPWC, USDA, etc.)	NEW Ohio EPA Loan Repayment	Total Expense to the System	Annual Surplus	Cumulative Surplus
<i>The first year and current user revenues autofills from Section 10.0 on Tab 8. The first year of O, M & R and debt service will autofill from Section 11.0 on Tab 8.</i>				<i>***Indicate previous year carryover surplus in the yellow Cumulative Surplus box***</i>			\$4,242,099.06
2021	\$3,273,177.70	\$2,644,249.12	\$216,057.24		\$2,860,306.36	\$412,871.34	\$4,654,970.40
2022	\$3,628,392.34	\$3,249,163.54	\$183,522.88		\$3,432,686.42	\$195,705.92	\$4,850,676.32
2023	\$3,991,231.57	\$3,574,079.89	\$104,310.19		\$3,678,390.08	\$312,841.49	\$5,163,517.81
2024	\$4,390,354.73	\$3,931,487.88	\$101,459.67		\$4,032,947.55	\$357,407.18	\$5,520,924.99
2025	\$4,609,872.47	\$4,128,062.28	\$101,459.67	\$92,120.82	\$4,321,642.77	\$288,229.70	\$5,809,154.69
2026	\$4,840,366.09	\$4,334,465.39	\$77,395.67	\$184,241.65	\$4,596,102.71	\$244,263.38	\$6,053,418.07
2027	\$5,082,384.40	\$4,551,188.66	\$77,395.67	\$184,241.65	\$4,812,825.98	\$269,558.41	\$6,322,976.48
2028	\$5,234,855.93	\$4,778,748.09	\$77,395.67	\$184,241.65	\$5,040,385.41	\$194,470.51	\$6,517,447.00
2029	\$5,391,901.61	\$5,017,685.50	\$77,395.67	\$184,241.65	\$5,279,322.82	\$112,578.79	\$6,630,025.78
2030	\$5,553,658.65	\$5,168,216.06	\$77,395.67	\$184,241.65	\$5,429,853.38	\$123,805.27	\$6,753,831.05
2031	\$5,720,268.41	\$5,323,262.55	\$75,938.01	\$184,241.65	\$5,583,442.21	\$136,826.21	\$6,890,657.26
2032	\$5,891,876.47	\$5,482,960.42	\$64,055.23	\$184,241.65	\$5,731,257.30	\$160,619.16	\$7,051,276.43
2033	\$6,068,632.76	\$5,647,449.23	\$64,055.23	\$184,241.65	\$5,895,746.11	\$172,886.65	\$7,224,163.07
2034	\$6,250,691.74	\$5,816,872.71	\$27,303.82	\$184,241.65	\$6,028,418.18	\$222,273.56	\$7,446,436.63
2035	\$6,438,212.49	\$5,991,378.89	\$27,303.82	\$184,241.65	\$6,202,924.36	\$235,288.13	\$7,681,724.76
2036	\$6,631,358.87	\$6,171,120.26	\$27,303.82	\$184,241.65	\$6,382,665.73	\$248,693.14	\$7,930,417.90
2037	\$6,830,299.64	\$6,356,253.87	\$7,994.48	\$184,241.65	\$6,548,490.00	\$281,809.64	\$8,212,227.54
2038	\$7,035,208.62	\$6,546,941.48	\$7,994.48	\$184,241.65	\$6,739,177.61	\$296,031.01	\$8,508,258.55
2039	\$7,246,264.88	\$6,743,349.73	\$7,994.48	\$184,241.65	\$6,935,585.86	\$310,679.03	\$8,818,937.58
2040	\$7,463,652.83	\$6,945,650.22		\$184,241.65	\$7,129,891.87	\$333,760.96	\$9,152,698.54
2041	\$7,687,562.42	\$7,154,019.73		\$184,241.65	\$7,338,261.38	\$349,301.04	\$9,501,999.58
2042	\$7,918,189.29	\$7,368,640.32		\$184,241.65	\$7,552,881.97	\$365,307.32	\$9,867,306.90
2043	\$8,155,734.97	\$7,589,699.53		\$184,241.65	\$7,773,941.18	\$381,793.79	\$10,249,100.68
2044	\$8,400,407.02	\$7,817,390.51		\$184,241.65	\$8,001,632.16	\$398,774.85	\$10,647,875.54
2045	\$8,652,419.23	\$8,051,912.23		\$184,241.65	\$8,236,153.88	\$416,265.35	\$11,064,140.88
2046	\$8,911,991.80	\$8,293,469.60		\$92,120.83	\$8,385,590.43	\$526,401.38	\$11,590,542.26
2047							\$11,590,542.26
2048							\$11,590,542.26
2049							\$11,590,542.26
2050							\$11,590,542.26
2051							\$11,590,542.26
2052							\$11,590,542.26
2053							\$11,590,542.26
2054							\$11,590,542.26
2055							\$11,590,542.26
2056							\$11,590,542.26
2057							\$11,590,542.26
2058							\$11,590,542.26
2059							\$11,590,542.26
2060							\$11,590,542.26
2061							\$11,590,542.26

Preparer Signature: _____

Date: _____

Authorized Representative Signature: 

Date: 1-30-24

The debt service for this loan will be split between the water and the sewer fund.

NOTES:



EPA Project Control Number _____

United States Environmental Protection Agency
Washington, DC 20460

Certification Regarding
Debarment, Suspension, and Other Responsibility Matters


The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Kathryn L. Whittington, President, Ashtabula County Board of Commissioners

Typed Name & Title of Authorized Representative


Signature of Authorized Representative

1-30-21

Date

I am unable to certify to the above statements. My explanation is attached.

EPA Form 5700-49 (11-88)



Division of Environmental & Financial Assistance

50 West Town Street, Suite 700, Columbus, Ohio 43215

Ph: (614) 644-2798 Fx: (614) 644-3687

www.epa.ohio.gov/defa

**OHIO WATER POLLUTION CONTROL LOAN FUND
COMPLIANCE CERTIFICATION**

BORROWER Ashtabula County Department of Environmental Services

PROJECT NAME AMI and Meter Replacement

I certify that I am the duly authorized representative of the above-named legal entity (Borrower) and that the Borrower agrees to comply with all Federal and State laws, executive orders, regulations, policies and conditions relating to WPCLF assistance. I also certify that the Borrower:

1. Has the legal, institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the project facilities.
2. Will, if the project includes a new wastewater collection system, require all planned users to connect to the said system no later than one-year after the initiation of operation of the project facilities.
3. Does assure that the mitigative measures stated in the environmental assessment and detailed plans and specifications will be implemented in the construction of the project facilities.
4. Has not and will not violate any Federal, State or local law pertaining to fraud, bribery, graft, collusion or other unlawful or corrupt practices.
5. Will, during the construction of the project facilities, comply with the provisions of:
 - a. Federal Executive Order 11246 relating to Equal Employment Opportunity.
 - b. Federal Executive Orders 12432 relating to the use of Women's and Minority Business Enterprises.
 - c. Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition and Policies Act of 1970 (P.L. 91-646).
 - d. Federal Executive Order 11988 relating to evaluation of potential effects of any actions in a floodplain and Federal Executive Order 11990 relating to minimizing harm to wetlands.
 - e. The National Historic Preservation Act of 1966 (P.L. 89-665 as amended.)
 - f. State Executive Order 90-68 relating to construction impacts on wetland areas.
 - g. The Federal Davis-Bacon Act as codified at 40 U.S.C. 276a-276a-5 unless waived in writing by the State.
6. Will, when disbursements exceed \$750,000 in any year under this agreement, comply with:
 - a. The Single Audit Act of 1984, (SAA), as amended by the Single Audit Act of 1996. The Borrower will also have an audit of its use of Federal Financial Assistance, keep a copy of the SAA for review for the life of the loan.
7. Will comply with Federal Water Pollution Control Act 602(b)(14) pertaining to the procurement of A/E services.
8. Will comply with Federal Water Pollution Control Act 603(d)(1)(E) pertaining to the development of a Fiscal Sustainability Plan.
9. Will comply with Subpart C of 2 CFR Part 180 and will ensure the same compliance from any and all contractors and subcontractors.
10. Will not retain the services of, solicit offers or bids from, or award contracts to any contractor or subcontractor who is presently debarred, suspended or proposed for debarment.
11. Will take steps to ensure that all contractors and subcontractors are not listed on the System for Award Management (SAM) exclusion list, and will have any and all proposed contractors and subcontractors certify they are not presently debarred, suspended, or otherwise excluded.

I certify that I have read and understand these requirements and agree that WPCLF assistance is conditional upon the above-named Borrower maintaining compliance with these requirements. I understand that a false statement on this certificate may be grounds for rejection of this proposal or termination of the award. In addition, under 18 U.S.C. Sec. 1001, a false statement may result in a fine of up to \$10,000.00 or imprisonment for 5 years, or both.



Signature of Authorized Official

January 30, 2024
Date



OHIO WATER POLLUTION CONTROL LOAN FUND

CONSULTANT DEBARMENT CERTIFICATION

CONSULTANT: CT Consultants, Inc.

BORROWER: Ashtabula County Department of Environmental Services

PROJECT NAME: AMI and Meter Replacement

I certify that I am the above-named Consultant, and that the Consultant agrees to comply with all Federal and State laws, executive orders, regulations, policies and conditions relating to WPCLF assistance. I also certify that the Consultant and its principals:

- 1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification;
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default;
5. Will comply with Subpart C of 2 CFR Part 180; and
6. Will not utilize or recommend Borrower to utilize any subcontractor who is unable to certify the above provisions (1) - (5).

I certify that I have read and understand these requirements and agree that employment as a consultant on this project is conditional upon maintaining compliance with these requirements. I understand that a false statement on this certificate may be grounds for rejection of this proposal or termination of the award. In addition, under 18 U.S.C. Sec. 1001, a false statement may result in a fine of up to \$10,000.00 or imprisonment for 5 years, or both.

[Handwritten Signature]

, Vice President

1/18/2024

Consultant's Signature and Title

Date

17.0 Application Check List

- Facilities Plan
- A copy of Legislation authorizing current rates/tap in fees
- A copy of Legislation authorizing the borrower to enter into a Loan Agreement with Ohio EPA & OWDA (Example: see **ATTACHMENT A**)
- Planning & Design Loan Only:** Draft or Executed Copy of Engineering Agreement
- Construction Loan Only:** Engineer's Estimate for project costs. Bid tabs are required to be submitted prior to project approval.
Detailed estimate for Equipment and Force Account
Draft or Executed Copy of the Engineering Agreement if engineering costs are included in the loan.
- If the borrower is using special assessments to cover any portion of the Ohio EPA loan payments, attach a certified statement from a Solicitor/Law Director stating the status of the assessment proceedings, resolutions or ordinances, and notices.
- Site Title Opinion Letter signed by Solicitor/Law Director (Example: see **ATTACHMENT B**)
* **Note:** If the site title opinion letter is not able to be sent with the loan application, it can be sent at a later date. However, this opinion **MUST** be submitted with the bid package for review.
- Intermunicipal Service Agreement (if applicable)
- Documentation of outstanding debt for planning and/or design costs, to be included in the Ohio EPA loan (if applicable)

*****ITEMS LISTED BELOW ARE NOT NEEDED WITH THE LOAN APPLICATION.*****
These are required after the Borrower has reviewed and SIGNED the Ohio EPA Loan Agreement and Exhibits.

- General Certificate (Example: see **ATTACHMENT C**)
- Legal procedural letter signed by the Solicitor/Law Director (Example: see **ATTACHMENT D**)

18.0 Preparer Information

This Application Submitted by (Name & Title) : Phyllis A. Dunlap, Funding Specialist, CT Consultants, Inc.

Signature: _____

Date: January 30, 2024 Telephone Number: 440-530-2230

19.0 Authorized Representative Approval

To the best of my knowledge and belief, the information contained in this application is true and correct. The application has been duly authorized by the governing body of the applicant and the applicant will maintain compliance with all the laws, rules, executive orders and policies pertaining to the Ohio EPA - Water Pollution Control Loan Fund (WPCLF) or the Water Supply Revolving Loan Account (WSRLA) programs.

Authorized Representative Kathryn L. Whittington

Title Board President, Ashtabula County

Signature:  Date: January 30, 2024

GENERAL CERTIFICATE
TO BE DELIVERED TO
OHIO ENVIRONMENTAL PROTECTION AGENCY
AND OHIO WATER DEVELOPMENT AUTHORITY

The undersigned, being the Clerk of the County of Ashtabula, Ohio (the "Local Government"), hereby certifies that:

- I. At the times of the enactment of the Loan Legislation (as defined below) and the execution of the **Water Pollution Control Loan Fund (WPCLF) Agreement** (as defined below), the following were the incumbents of the listed offices:

	<u>Title</u>	<u>Name</u>
Chief Executive Officer:	Ashtabula County Commissioner Board President	Kathryn Whittington
Chief Fiscal Officer:	Ashtabula County Auditor	David Thomas
Chief Legal Officer:	Ashtabula County Prosecutor	Colleen O'Toole
Officer Responsible for Records	Ashtabula County Clerk of the Board	Lisa Hawkins

Legislators: Ashtabula County Board of Commissioners

- II. The regular meetings of Ashtabula County Board of Commissioners (the "Legislative Body") of the Borrower are held on Tuesdays of each week. [If applicable, add the following: The Loan Legislation (as defined below) was approved at a special meeting of the Legislative Body held on January 30, 2024.
- III. Attached hereto is (a) a true and exact copy of Resolution No. 2024-72 (the "Loan Legislation"), approved by the Legislative Body on [insert date of enactment of Loan Legislation], authorizing the Borrower to enter into a **Water Pollution Control Loan Fund (WPCLF) Agreement** with the Ohio Environmental Protection Agency and the Ohio Water Development Authority in the form attached to the Legislation as Exhibit A (the "**Water Pollution Control Loan Fund (WPCLF)**"), including a description of the Project Facilities being financed under the **Water Pollution Control Loan Fund (WPCLF) Agreement**, and (b) a copy of the **Water Pollution Control Loan Fund (WPCLF) Agreement** executed by the official or officials of the Local Government authorized by the Loan Legislation to execute the **Water Pollution Control Loan Fund (WPCLF) Agreement** on behalf of the Local Government. The undersigned hereby certifies that the Legislation remains in full force and effect and has not been repealed, rescinded, amended or modified.
- IV. Attached hereto is a true and exact copy of Resolution No. 2023-170 (the "Rate Legislation"), approved by the Legislative Body on March 14, 2023, authorizing the current rates or tap-in fees of the utility of the Local Government to which the **Water Pollution Control Loan Fund (WPCLF) Agreement** relates, and of any special assessment legislation related to any special assessments of the Local Government referred to in the **Water Pollution Control Loan Fund (WPCLF) Agreement**.
- V. All meetings of the Legislative Body and of its committees and any other public bodies, at which the formal actions referred to in Sections III or IV above were taken, or at which deliberations that resulted in such formal actions were held, were open meetings, and such formal actions were taken and any such deliberations took place while such meetings were open to the public, in compliance with all legal requirements including (if applicable) Section 121.22, Revised Code. Notice and notification of the aforementioned meetings were given Section 121.22, in compliance with all legal requirements including (if applicable) Section 121.22, Revised Code and the rules of the Legislative Body.



Ashtabula County Board of Commissioners, Clerk of the Board

1/30/2024

(Date)