

**MINIMUM FUNDING PARTICIPATION REQUIREMENTS
FOR PRELIMINARY ENGINEERING REPORTS (PER)
(For Grant/Loan Recipients)**

Applicability:

On June 10, 2014, the Water Resources Reform and Development Act of 2014, was signed into law. Among its provisions are amendments to Titles I, II, V, and VI of the Federal Water Pollution Control Act (FWPCA). This document provides guidance to meet the requirements for Section 602(b)(13), which was added to Title VI of FWPCA. These requirements take effect on October 1, 2015.

These requirements are applicable only to Clean Water State Revolving Fund (CWSRF) Program for which a Pre-Application for Financial Assistance is submitted on or after October 1, 2015 and received funding for the first time for the project. They will not apply to CWSRF projects that have been identified as multi-phased, and MDE funding has been provided to an earlier phase of the project prior to October 1, 2015.

While these requirements are applicable only to CWSRF Program, they are strongly recommended as a good business practice to all other MDE funded Clean Water and Drinking Water projects.

Exemptions:

- Privately owned nonpoint source projects are exempt from all these requirements.
- Publicly owned nonpoint source projects are exempt from only item 9 of the checklist below, Project Asset Management/Fiscal Sustainability.

The Guidelines:

The recommended best practice for the development of Preliminary Engineering Reports, as described in the January 16, 2013 Interagency Memorandum, is the main source of guidance for meeting these requirements.

The following additional guidelines are intended to serve as addenda to supplement and further explain the recommended practice.

Addendum 1: Add Under “Sustainability Considerations”

Discussion on climate-related considerations and Maryland Cost Smart Practices (House Bill 615 of 2014).

Addendum 2: New Section 9 – Project Asset Management/Fiscal Sustainability:

The following information must be provided in this new section for asset added by the proposed project:

1. Inventory of critical assets
2. Conditions of these critical assets
3. Plan of maintaining and replacement of these critical assets
4. Energy/Water efficiency of these assets and conservation effort plan

PER Checklist:

The following checklist is to ensure that the PER includes all the items needed to meet the requirements. PER items are categorized in the checklist as either:

Essential: Must be included in order to complete intergovernmental review and proceed to funding.

Recommended: Not required, but recommended as a good business practice. Also, depending on project complexity recommended items may become required by MDE for certain projects.

Item	Category	Included and Sufficient (Y/N)
1) Cover Page		
Signed and Sealed by a Maryland Certified Professional Engineer	Essential	
2) Project Planning		
Recipient Cost & Effectiveness Analysis Certification	Essential	
Environmental Resources Present	Essential	
Location	Recommended	
Population Trends	Recommended	
Community Engagement	Recommended	
3) Existing Facilities		
Location Map	Essential	
History	Essential	
Financial Status of any Existing Facilities	Essential	
Condition of Existing Facilities	Recommended	
Water/Energy/Waste Audits	Recommended	
4) Need for Project		
Health, Sanitation and Security	Recommended	
Aging Infrastructure	Recommended	
Reasonable Growth	Recommended	
5) Alternatives Considered		
Description	Essential	
Map and Schematic	Essential	
Environmental Impact	Essential	
Sustainability Considerations:	Essential	

Item	Category	Included and Sufficient (Y/N)
i) Water and Energy Efficiency (summary – further discussed in Section 9 below) ii) Green Infrastructure iii) Climate-related considerations and Maryland Coast Smart Practices iv) Other		
Cost Estimates	Essential	
Design Criteria	Essential	
Land Requirements	Recommended	
Potential Construction Problems	Recommended	
6) Selection of an Alternative		
Life Cycle Cost Analysis	Essential	
Non-Monetary Factors	Essential	
7) Proposed Project (Recommended Alternative)		
Preliminary Project Design	Essential	
Permit Requirements	Essential	
Sustainability Considerations: i) Water and Energy Efficiency (summary – further discussed in Section 9 below) ii) Green Infrastructure iii) Climate-related considerations and Maryland Coast Smart Practices iv) Other	Essential	
Total Project Cost Estimate (Engineer’s Opinion of Probable Cost)	Essential	
Annual Operating Budget: i) Income ii) Annual O&M Costs iii) Debt Repayments iv) Reserves	Essential	
Project Schedule	Recommended	
8) Conclusions and Recommendations		
Additional Findings and Recommendations	Recommended	
9) Project Asset Management/Fiscal Sustainability		
Inventory of critical assets of the project	Essential	
Conditions of these critical assets	Essential	
Plan of maintaining and replacement of these critical assets	Essential	
Energy/Water efficiency of these assets and conservation effort plan	Essential	