

June 2009

American Recovery and Reinvestment Act of 2009 (ARRA) Requirements

Background

In 2009, Ohio will receive nearly \$280 million for drinking water and water pollution control projects through its state revolving fund programs (SRFs) for drinking water and clean water. These programs, the Drinking Water Assistance Fund (DWAFF) and the Water Pollution Control Loan Fund (WPCLF), are administered by Ohio EPA. The DWAFF will receive \$58.5 million and the WPCLF will receive \$220.6 million in stimulus funds.

How did communities qualify?

To be eligible for ARRA funds, projects must have registered their intent to seek ARRA funding through the Ohio Recovery Web page by March 6, 2009, and submitted a nomination or pre-application form to Ohio EPA by March 13, 2009. All projects receiving ARRA funds must be under construction or have a signed contract to start construction by February 16, 2010.

How is Ohio providing more financial assistance than required by the Federal government?

The American Recovery and Reinvestment Act allows state SRF programs to seek repayment from communities of half the stimulus funds provided by the state to communities. Ohio has instead chosen to provide all of its SRF stimulus funds as "free money" in the form of principle forgiveness for communities that are ready to begin construction, and score well enough to qualify for stimulus funding.

What must communities do in order to qualify for ARRA funding?

There are specific acts, laws and program guidance that must be followed; many of these have always been required to receive funding from the SRF programs; a few are new and required by ARRA. An example of an updated SRF-related requirement is:

Subcontracting to small and disadvantaged businesses

Whenever possible, construction work must be subcontracted to small and disadvantaged businesses. More information is available about this on the Web at <http://www.epa.state.oh.us/ddagw/Documents/dwaf/DBE.pdf>.

We are highlighting four of the new ARRA requirements below.

ARRA specific requirements

Davis Bacon Act

Communities must adhere to both the prevailing wage and labor standards requirements outlined in the Davis-Bacon Act. Successful bidders are required to conform to all provisions of the federal Davis-Bacon Act and related acts which require, among other things, that all laborers and mechanics on projects assisted in whole or in part with stimulus funds be paid not less than the prevailing wage rates and fringe benefits in the area as determined by the U.S. Secretary of Labor. Generally, these rates are no greater than those required under state law.

Jobs must be posted

Jobs created and/or retained as a result of stimulus-funded projects must be posted on www.ohiomeansjobs.com and at the closest ODJFS One-Stop location.

Buy American

Generally speaking, stimulus-funded projects must use American iron, steel, and manufactured goods. More information about Buy American is available on the Web at http://www.epa.state.oh.us/ddagw/Documents/dwaf/Buy_American_Guidance.pdf.

Reporting requirements for each ARRA recipient.

Data related to contract start and completion dates, job creation and retention, and the employment impact of the ARRA funded work on the workforce of both primary contractors and subcontractors must be provided at least quarterly to Ohio EPA for reporting to U.S. EPA and inclusion on Recovery.gov.

For More Information about WPCLF:

Contact Becky Hegyi with Ohio EPA's Division of Environmental and Financial Assistance at 614-644-3636.

For More Information about DWAFF:

Contact Stacy Barna with Ohio EPA's Division of Drinking and Ground Waters at 614-644-2752.