

North Dakota Drinking Water and Clean Water State Revolving Fund (SRF) Programs  
Utilizing American Recovery and Reinvestment Act (ARRA) Funds

**Understanding of Responsibilities of  
American Recovery and Reinvestment Act Loan Matters**

The prospective participant understands the following responsibilities that come with accepting the ARRA funds and agrees to adhere to the below list of responsibilities:

- (a) Davis Bacon: Davis Bacon requirements apply for prevailing wages;
- (b) Green Reserve: The Green portion of the projects need to be reviewed and approved by the North Dakota Department of Health before any funding or commitments can be made to the systems to receive any funds;
- (c) Buy American: None of the funds appropriated or otherwise provided by ARRA may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel and other manufactured goods used as construction material in the project are produced or manufactured in the United States of America;
- (d) Reporting Requirements: The standards are high for the transparency and accountability to help prevent fraud, waste and abuse of ARRA funds. Therefore there are many reporting requirements, most of which are not finalized yet. This information will be forwarded to you as it becomes available. We feel that the standards will be very high and the requirements need to be strictly adhered too; and
- (e) November 15, 2009 there will be a review of the project to determine if contracts will be signed by February 17, 2010. If it is found that these contracts can not be signed by the stated date the Department will than replace the ARRA funds with traditional SRF funds and the ARRA funds will be reallocated for the next projects on the comprehensive list.
- (f) Recipients and their first-tier recipients must maintain current registrations in the Central Contractor Registration ([www.ccr.gov](http://www.ccr.gov)) at all times during which they have active federal awards funded with Recovery Act funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number ([www.dnb.com](http://www.dnb.com)) is one of the requirements for registration in the Central Contractor Registration.
- (g) The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly. In accordance with the Byrd Anti-Lobbying

Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

(h) For recipients covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," recipients agree to separately identify the expenditures for Federal awards under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by OMB Circular A-133. This shall be accomplished by identifying expenditures for Federal awards made under Recovery Act separately on the SEFA, and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number, and the inclusion of the prefix "ARRA-" in identifying the name of the Federal program on the SEFA and as the first characters in Item 9d of Part III on the SF-SAC.

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Typed Name & Title of Authorized Representative

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Signature of Authorized Representative