

STATE WATER IMPLEMENTATION FUND FOR TEXAS



**Program
Guidance –
November
2022**

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Acronyms

| | |
|--------|---|
| CE | Categorical Exclusion |
| COA | Certificate of Approval |
| EA | Executive Administrator |
| ED | Environmental Determination |
| EFR | Engineering Feasibility Report |
| FONSI | Finding of No Significant Impact |
| IFR | Infrastructure Financing Report |
| MTF | Memorandum to File |
| PDF | Portable Digital Format |
| PEFR | Preliminary Engineering Feasibility Report |
| SOF | Statement of Finding |
| SWIFT | State Water Implementation Fund for Texas |
| SWIRFT | State Water Implementation Revolving Fund for Texas |
| TAC | Texas Administrative Code |
| TCEQ | Texas Commission on Environmental Quality |
| TWDB | Texas Water Development Board |
| WMS | Water Management Strategies |
| WMSP | Water Management Strategy Project |
| WSC | Water Supply Corporation |

I. Introduction

Passed by the 83rd Texas Legislature and approved by Texas voters through a constitutional amendment, the [State Water Implementation Fund for Texas \(SWIFT\)](#) and the State Water Infrastructure Revenue Fund for Texas (SWIRFT) were created to provide affordable, alternative financing options to develop projects that are recommended water management strategies in the state water plan.

The program, referred to as SWIFT, helps communities develop and optimize water supplies at cost-effective rates by providing low-interest financing, extended repayment terms, deferral of repayments, and incremental repurchase terms for projects with state ownership aspects.

Document Summary

This program is governed by administrative rules found in [31 Texas Administrative Code \(TAC\) 10 Chapter 363, Subchapter M](#).

This guidance manual provides basic information for Applicants and their consultants to understand how the Texas Water Development Board's (TWDB) SWIFT Program works, and how to comply with the program's rules and requirements. No provision in this guidance supersedes any existing or future administrative rules governing the program,

This document covers the following subjects, and any applicable procedures, requirements, and resources:

- Abridged Application and Prioritization
- Full Application
- Financing Closing and Release of Funds
- Planning, Design, Bid, and Construction Phases
- Project Close-Out and Certificate of Approval (COA)

No provision in this guidance supersedes any applicable administrative rule governing the program.

II. Program Eligibility

Eligible Applicants

Any political subdivision, including a nonprofit water supply corporation (WSC), with a project included in the most recently adopted [state water plan](#).

Political subdivisions include

- municipalities,
- counties,
- river authorities,
- special law districts,
- water improvement districts,
- water control and improvement districts,
- irrigation districts,
- groundwater conservation districts, and
- nonprofit water supply corporations.

Eligible Projects

Any recommended water management strategy project (WMSP) with an associated non-zero capital cost included in the most recently adopted state water plan. Projects must be included in the most recently adopted state water plan *at the time Abridged Applications are due to the TWDB for consideration*.

Eligible projects include, but are not limited to

- conservation and reuse,
- desalinating groundwater and seawater,
- building new pipelines,
- developing reservoirs and well fields, and
- purchasing water rights.



Only the project components specified in the WMSP are eligible for funding. For example, if a project is listed in the plan as "construction of a well field" but does not list a "pipeline" for water delivery, that pipeline would not be considered an eligible component for SWIFT funding.

III. Financial Assistance Overview

The SWIFT Program offers a variety of financing and terms to support the diversity of strategies recommended through the planning process. Grants are not available in the program. Funds can be used for planning, design, acquisition, and construction costs. Additional interest rate subsidies may be available for rural or agricultural water conservation or irrigation projects.

There is no maximum funding limit per project or entity. The TWDB utilizes a strategic planning tool to analyze the capacity of the program for each funding cycle, with a legislative directive to finance \$27 billion in state water plan projects over 50 years. The TWDB determines the amount of capacity at the time of project prioritization.

SWIFT Funding

The various types of program assistance are listed here. Applicants may request assistance from any or all of the structures available to finance their projects.

Low-Interest Obligations

- Long-term, fixed-rate financing offered at below-market interest rates
- Maturities range from 20 to 30 years
- Interest rate based on the TWDB's costs of funds, further reduced by [subsidies established by the Board for each funding cycle](#)
- Additional interest rate subsidization may be available for rural and/or agricultural projects that:
 - Provide agricultural water conservation or irrigation benefits
 - Serve a population of 10,000 or less and fall entirely outside of urbanized areas as defined by the most recent available U.S. Census

Deferred Obligations

- Used to fund developmental costs (planning and design phase costs only – deferred funds may not be used to fund land acquisition or construction costs)
- Principal and interest are deferred up to eight years from the delivery date, or until the end of construction (whichever is sooner)
- Maturities range from 20 to 30 years.
- Interest rate based on the TWDB's costs of funds - no additional interest rate subsidy

Board Participation

- Long-term, structured, fixed-rate financing, through a temporary TWDB ownership interest in a regional facility being “right sized” for future demand
- The TWDB’s ownership interest is in the excess capacity portion and limited to 80 percent of the project’s total costs.
- Financing terms vary, but in general are 34 years.
- Interest rate based on the TWDB’s cost of funds - no additional interest rate subsidy
- Requires specific determinations made by the Board, including
 - if the estimated cost of the facility exceeds current financing capabilities of the area and
 - If the public interest will be served by the Board's participation in the project.

Multi-Year Commitments

- Applicants may propose a multi-year closing schedule based on a single SWIFT Program funding commitment.
- Provides entities additional flexibility to support project needs spanning up to 5 years, including the first-year closing.
- Multi-year commitments may be requested in combination with any of the financing structures listed above.
- Once committed, subsidies are locked in only through the end of the following State Fiscal Year.

IV. Water Planning and Funding Overview

Planning Process

The application process for seeking SWIFT funding begins at the regional planning level with a recommended WMSP that has an associated non-zero capital cost included in the most recently adopted state water plan.

There are [16 regional water planning groups \(RWPG\)](#), each representing a regional planning area. These groups evaluate and recommend water management strategies (WMS) and the associated WMSPs for each of their respective regions in the development of the regional water plans.

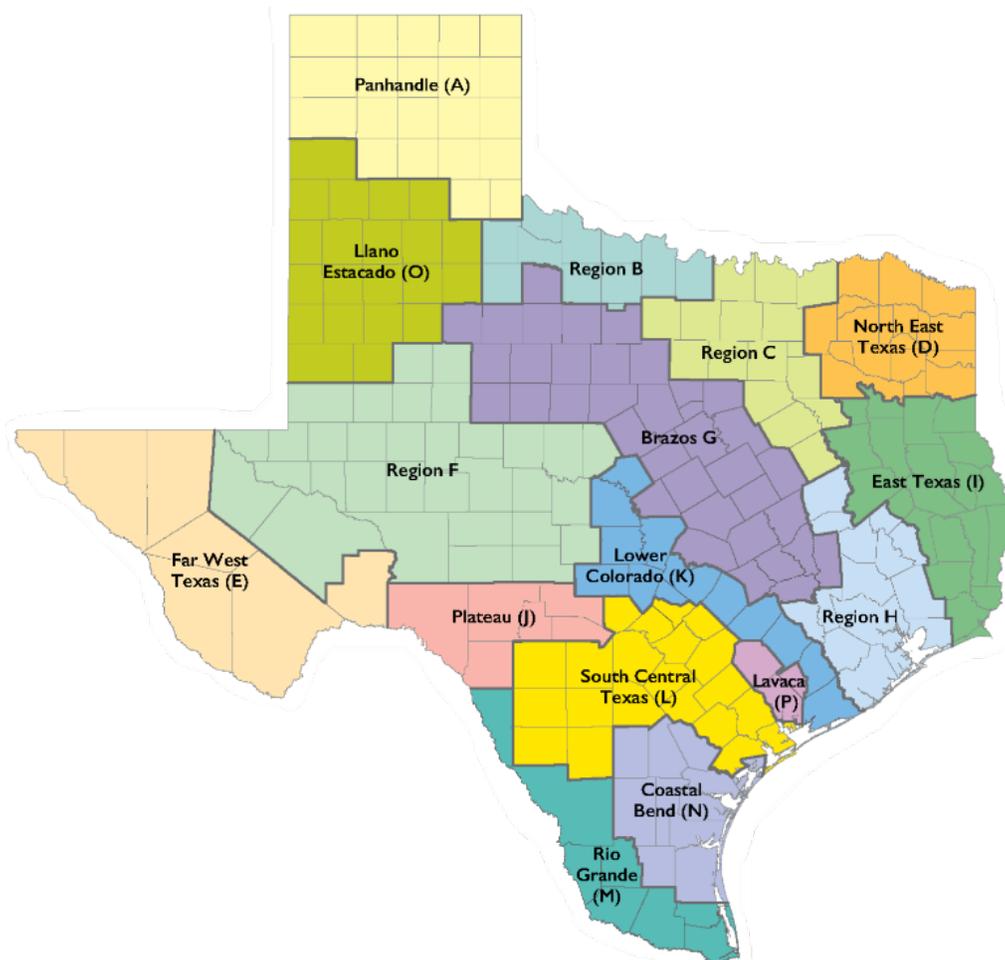


Figure 1. Regional Water Planning Groups Map

Planning Cycle

The planning process occurs in five-year cycles. At the beginning of each cycle, RWPGs select a political subdivision to sponsor and administer the region. Examples of political subdivisions are cities, counties, council of governments, and river authorities. Additionally, planning groups select technical consultants to conduct the work. Sponsors apply for funds and enter into grant contracts with the TWDB, which funds the process.

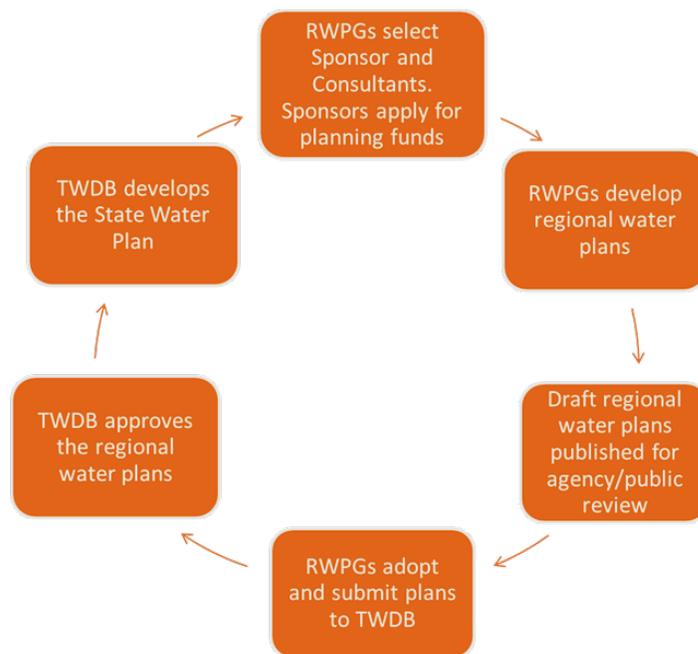


Figure 2. Regional Planning Process

After developing the regional water plans, which include recommended WMSs and associated WMSPs, each of the 16 RWPGs publishes draft plans for agency and public review, then adopts and submits final plans for TWDB approval and inclusion in the state water plan.

For more information about the regional and state water planning processes, refer to the [Water Supply Planning](#) webpage on the TWDB website.

Amendments

What if an entity's project is not included in the state water plan?

- An entity has the option to request an [amendment to the regional water plan](#) to include its project, which is the first step for a potential amendment to the state water plan.
- A regional water plan may be amended to add strategies, projects, or capital costs, which are reviewed and approved by the RWPGs.
- The state water plan may be amended to reflect additions made to the regional water plans.
- If an entity's recommended WMSP is amended to add a capital cost, the state water plan must be amended to reflect this change prior to Board commitment on associated SWIFT funding.



The amendment process typically spans several months depending on the type of amendment being requested. This should be taken into consideration when planning the timing of a project. [See Attachment 2](#) for an outline of the amendment process. Please contact your [Regional Water Project Development Team \(RWPD\)](#) for more information.

Funding Process

The TWDB solicits SWIFT Abridged Applications for financial assistance up to twice a year. These are ranked using the [SWIFT prioritization system](#), as detailed in [31 TAC § 363.1303](#), and criteria described in [31 TAC § 363.1304](#), (*see attachment 1*).

- The prioritized projects list, along with the Executive Administrator’s recommendations regarding program funding capacity, are presented for Board consideration. If approved, applicants ranked within funding availability are invited to submit full SWIFT financial assistance applications.
- Invitations are sent to applicants via email shortly after the Board meeting, and full applications are typically due within 30 days.
- Full applications include information needed to complete the standard financial, legal, engineering, and environmental reviews by the TWDB. Once the technical review process is complete, the project is presented to the Board for funding consideration.



Figure 3. SWIFT Funding Milestones

The TWDB anticipates selling bonds for each round of funding through the SWIFT Program; therefore, entities are required to execute Financing Agreements, like those used in other TWDB financial assistance programs.



Due to the accrued interest expense on borrowed funds, complexities and timing involved in the issuance of TWDB bonds, borrowers will need to close their individual financing shortly after the TWDB bond closing.

V. Abridged Application Process

SWIFT Abridged Applications provide the TWDB with information necessary to prioritize projects and determine the capacity of the program for each funding cycle.



Before submitting an Abridged Application, you may want to meet with the [Regional Water Project Development Team \(RWPD\)](#) assigned to your area. Each team consists of a manager, financial analyst, engineers, an environmental reviewer, planners, legal, and administrative support.

Connecting with your regional team early in the process to discuss program requirements as they apply to your specific project can improve the efficiency and timely processing of your Abridged Application.

Abridged Application solicitation will be announced on the TWDB webpage and through agency communications, and all submittals **must** be received by the posted due date to be considered for prioritization and funding capacity.

Abridged Application Program Requirements



Along with submitting a complete Abridged Application, the following SWIFT program requirements must be met:

- **Eligible projects must be recommended WMSPs with an associated non-zero capital cost in the most recent state water plan.**
- **Water Use Survey responses for the previous 3 years must be on file**, as per [31 TAC § 358.5](#). Only Applicants who are wholesalers are exempt from this requirement. Please visit the [Water Use Survey](#) page to complete any missing surveys.
- **Water Loss Audit for the most current reporting year needs to be on file**, as per [31 TAC § 358.6](#). Only applicants who are wholesalers are exempt from this requirement. Please visit the [Water Loss Audit](#) page to submit an audit.

Visit the program requirements section on the TWDB [SWIFT](#) webpage to view a list of recommend WMSPs, Water Use Survey responses, or to access survey forms.

Submitting an Abridged Application

Abridged Applications can be submitted online using the Online Loan Application (OLA) tool. A Microsoft Word version is also available for submittal via email. Whichever option is chosen, Abridged Applications **must be received by the posted due date**.

➤ Online Submittal (OLA)

- Using the [OLA tool](#), start by selecting the “Start New PIF” icon.
- For “PIF Type” select “SWIFT.”
- Refer to the [OLA Project Information Form and Abridged Application Guidelines](#) for a step-by-step walk through (SWIFT-specific instructions are on pages 7 through 9).
- Submittal is provided as an option once all fields are complete.

➤ Email/Hardcopy Submittal (Word)

- Download the SWIFT Abridged Application Word document from the TWDB SWIFT webpage, as explained in the [how to apply section](#).
- Refer to the Abridged Application instructions for step-by-step guidance.
- Email the completed Abridged Application and applicable attachments to SWIFT@twdb.texas.gov.



If at any point you have questions or need assistance with the Abridged Application, please contact your [Regional Water Project Development Team \(RWPD\)](#) or email SWIFT@twdb.texas.gov.

VI. Full Application Process

Applicants with Abridged Applications that rank within funding availability will be invited (via email) to submit full applications for financial assistance. Full applications are typically due within 30 days and **must be received by the posted due date** for consideration by the Board.

Pre-Application Meeting



Applicants are **strongly** encouraged to schedule a pre-application meeting with their [Regional Project Implementation Team](#) who will guide them through the application process. Pre-application teleconferencing is available, and the following individuals should attend:

- A member of the governing body of the Applicant
- The consulting engineer
- The financial advisor
- The bond counsel



NOTE: Intended use of alternative delivery methods **must be discussed with TWDB staff at the pre-application meeting, or earlier if possible.** More details are provided in the [Bidding Phase](#) section of this guidance (under *Alternative Delivery for Construction Projects*).

Application Information

The [financial assistance review process](#) is used for all TWDB funding programs. It includes simple step-by-step instructions of the legal, financial, engineering, and environmental information required by the TWDB to conduct an extensive technical review of projects and prepare a funding recommendation to the Board. More resources can be found on the application [webpage](#).



The Applicant will be notified in writing if their application is administratively complete or incomplete **within 48 hours** of its due date. **If the application is incomplete, any deficiencies must be remedied by the deadline provided in the notice.**

Engineering

A Preliminary Engineering Feasibility Report (PEFR), signed and sealed by a professional engineer registered in the State of Texas, as outlined in the application, is required. During the planning phase of the project, the Applicant must provide a final Engineering Feasibility Report (EFR) in accordance with the relevant guidance for the preparation of EFRs for drinking water projects ([TWDB-0555](#)) and/or wastewater projects ([TWDB-0556](#)).

Environmental

During the application phase, the TWDB Environmental Reviewer will determine which level of environmental review is required based on the type and scope of the project, and the potential for adverse environmental impacts.

This assessment will be made based on information provided in the engineering and environmental sections of the financial assistance application. **If additional information is required by the TWDB, a request for supplemental information will be sent to the Applicant or their consultant.**



For additional information on environmental review requirements for SWIFT, please see the [Planning Phase](#) section of this guidance (under *Environmental Review Process*).

Full Application Program Requirements



Before starting the application process, **review** the Financial Assistance Checklist ([TWDB-0148](#)) for a complete list of documents required with your application. Additional SWIFT-specific document requirements are located on page 4, and include, but are not limited to

- Proposed Bond Ordinance,
- Proposed Private Placement Memorandum, and
- Board Participation Schedules and Master Agreement (if applicable).

SWIFT Program Requirements

- A [Water Conservation Plan, including a Utility Profile](#) and [Drought Contingency Plan](#) are required for financial assistance greater than \$500,000, as per [31 TAC § 363.15](#).
 - Loan recipients must maintain an approved water conservation program in effect and revised as needed at a minimum once every five years.
 - Loan recipients must report annually on its implementation until all financial obligations to the state have been discharged.
 - If the loan recipient is a retail water provider, they will be required to submit a water loss audit until all financial obligations to the state have been discharged.

- Historically Underutilized Business (HUB) reporting
- Reservoir funding must be segmented or phased; applicants for reservoir construction funds must complete planning, permitting, acquisition, and design prior to receiving a commitment to fund construction costs, per [31 TAC § 363.1307](#).

TWDB Forms Applicable to SWIFT

Forms and guidance materials referenced below can be accessed online through the TWDB [Program Guidance & Manuals \(Guidance and Forms Library\)](#) by using the Search box and typing in the form or guidance number needed.

- Resolution from governing body requesting financial assistance
 - ([TWDB-0201A](#)) *
- Applicant Affidavit for Public Entities ([TWDB-0201](#)) and for Private Entities ([TWDB-0201P](#)) *
- Certificate of Secretary ([TWDB-0201B](#)) *
- Planning Information Form ([WRD-253d](#))
- Project Cost Estimate Budget ([TWDB-1201](#)), signed and sealed by a professional engineer registered in the State of Texas.

* *Forms Requiring the Applicant's Signature*

Submitting a Full Application

The financial assistance application can be submitted online using the OLA tool. A Microsoft Word version is also available for submittal via email or mail. Whichever option is chosen, applications **must** be received by the posted due date.

- **Online Submittal (OLA)**
 - Using the [OLA tool](#), login using the credentials created when submitting your Abridged Application.
 - Click the “Invited” button on the bottom of the dashboard to begin a new application.
 - Most document uploads to the OLA tool must be in portable document format (PDF). Clearly label all attachments with the corresponding document name, and entity name.
 - You may save your progress and return as needed until you have completed the application; incomplete applications will **not** be processed until all required information is provided.
 - Additional contributors may be added to the application.
 - **It is imperative** that all contributors use consistent language, and only one at a time be working in the OLA system. **If multiple users are working on**

the application at the same time, the TWDB cannot guarantee your data will be saved.

- Refer to the TWDB [Financial Assistance Application](#) webpage for further guidance.

➤ **Email/Hardcopy Submittal (Word)***

- Download the [Financial Assistance Application \(Word document\)](#) from the TWDB [Financial Assistance Application](#) webpage.
- Refer to the TWDB [Financial Assistance Application](#) webpage for further guidance.
- Email the completed Abridged Application and applicable attachments to SWIFT@twdb.texas.gov.
- For hardcopy submittals, you must submit one (1) double-sided physical copy and one (1) indexed electronic copy via electronic storage media (i.e., flash drive or CD) using MS Word, Excel, or Adobe Acrobat.
- Hardcopies should be mailed to the address below:

Texas Water Development Board
ATTN: SWIFT Application
P.O. Box 13231
Austin, Texas 78711-3231

** Not applicable if using the Online Application*



If at any point you have questions, or need assistance with the application, please contact your [Regional Project Implementation Team](#).

Funding Approval and Financial Assistance Commitment

If the application is recommended for approval by TWDB staff, the application is placed on the TWDB Board meeting agenda. All recommended SWIFT applications are considered by the Board for commitment on the same date. If a Board commitment for financial assistance is made, it will expire on the date noted in the commitment.



Due to the accrued interest expense on borrowed funds, complexities and timing involved in the issuance of TWDB bonds, Applicants will need to close their individual financing shortly after the TWDB bond closing, according to their financing agreement.

VII. Closing and Release of Funds

Closing

After a financial assistance commitment has been approved by the Board, additional legal, financial, and engineering documentation must be submitted to close the financing and release funds.

Please refer to the [Closing a TWDB Commitment](#) webpage for more information, including helpful pointers for navigating the closing process, lists of required documents, and closing timeline tools.

Further explanation of TWDB closing requirements for the SWIFT Program is provided in [31 TAC § 363.42](#) (Loan Closings), and [§ 363.43](#) (Release of Funds).

After TWDB Commitment – First Steps



Look for a Board Action Letter (BAL) to be sent via email shortly after Board commitment. This letter summarizes all pertinent information you will need to close on your financing.



Respond to the assigned TWDB financial analyst or team manager with a tentative closing schedule containing your preferred closing date. The BAL will include the TWDB contact information.



Be sure you communicate early and often with your TWDB team, outside consultants and community contacts to ensure all parties are on the same page.



Pay close attention to closing deadlines. Timely delivery of documents is critical for maintaining closing dates. Key closing milestones are shown in the next section.

Key Closing Milestones



The **closing date** requested in the application will be used to plan the closing of the Applicant's commitment. The requested date may be revised if desired, with concurrence from the TWDB.

1. Submit the following items to the TWDB for approval **at least 20 business days prior to the adoption date** of the bond ordinance or resolution by the Applicant's governing body:
 - Bond Counsel's legal opinion, draft
 - No-Arbitrage (Federal Tax) Certificate, draft
 - No-Litigation Certificate, draft

- Private Placement Memorandum, draft
 - Proposed bond ordinance or resolution, draft
2. Submit the following items to the TWDB Project Engineer/Reviewer **18 days prior to closing**:
- Copies of executed engineering contracts and other draft contracts
 - Any permits TWDB determines are required prior to closing
 - Sufficiency of funds statement & release of funds request:
 - **Option A:** If the project is funded **100 percent with TWDB funds**, submit a statement which identifies the amount of funds to be released at closing.
 - **Option B:** If the project is funded with a **combination of TWDB funds and other funds**, provide a statement as to the status of securing non-TWDB funds, and identify the amount of TWDB funds to be released at closing, including a current budget of costs and sources of funds.
 - If the funding request is greater than \$500,000, proof of the applicant's adoption of the Water Conservation Plan must be submitted prior to loan closing.
3. The Applicant must adopt a bond ordinance to approve the conditions of the TWDB financial commitment.
4. **After the Applicant has adopted a bond ordinance to approve the conditions of the TWDB financial commitment**, they will submit the final closing documents to the TWDB to close the commitment 8 business days prior to the Applicant's closing date, unless otherwise stated below.
- Bond Ordinance or Resolution adopting the issuance
 - Attorney General Opinion (5 business days prior)
 - Comptroller's Certificate (5 business days prior)
 - Debt Service Schedule
 - Executed Escrow Agreement
 - Financial Advisor's Closing Instructions
 - Executed Paying Agent Agreement
 - Private Placement Memorandum – with all attachments
 - Sufficiency of Funds Statement (if the project is funded by a combination of TWDB funds and other funds)
 - TWDB Vendor Set-Up of Direct Deposit Form
 - Blanket Issuer Letter of Representations (BLOR)
 - Bond Counsel Opinion
 - No Litigation Certificate
 - No Arbitrage/Federal Tax Certificate

Release of Funds

The SWIFT Program releases funds as project milestones are achieved. Funds not eligible for release on the closing date will be held in an escrow account until the required project milestones have been completed and approved. Below is a simplified diagram that illustrates key project milestones during the planning, design, and construction phases of a project that are tied to the release of funds:

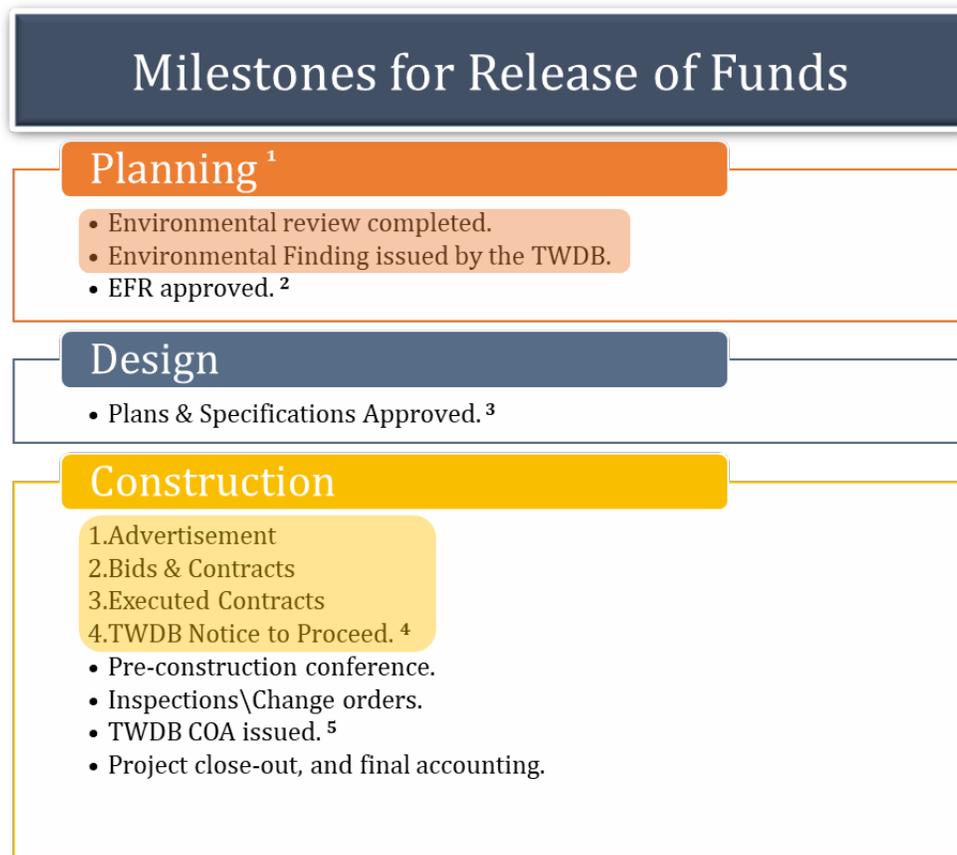


Figure 4. Release of Funds Milestones

1. **Planning:** Funds for planning and permitting costs can be released once all financing closing documents have been submitted and approved, any special conditions from the TWDB resolution have been met, and the closing has occurred. Executed professional services agreements for the planning phase (if TWDB is funding those services) for the project must also be received.
2. **Design:** Funds for design can be released once an environmental finding has been issued by TWDB and an EFR has been completed and approved. Executed engineering contracts for the design phase are also required before release of design funds (if not previously submitted).
3. **Soft Costs:** Funds for construction phase soft costs, such as surveying or geotechnical investigation, can be released upon approval of plans and specifications (P&S).

4. **Construction:** Construction funds for a contract can be released after the issuance of any applicable permits, and after contract documents are approved (including P&S) and executed construction documents are contingently awarded. Executed engineering contracts for the construction phase are also required before release of funds for construction phase engineering tasks (if not previously submitted). If a water rights certification is required for the project, it must also be issued prior to release of funds for construction.
5. **Retainage:** Contract retainage can be released once the TWDB issues a Certificate of Approval (COA).

VIII. Planning Phase

The planning phase prepares the framework required for accomplishing the purpose and objectives of the project. During planning, specific requirements and needs are identified to prepare for the project's acquisition, design, and construction phases.

Planning Phase Submittals



The following items must be submitted to and approved by the TWDB during the planning phase to consider this milestone complete:

- Environmental finding issued and review complete
- EFR complete

Environmental Review Process, Documents, and Findings

Environmental review is a requirement for the use of SWIFT financial assistance, as detailed in [31 TAC § 363.14](#) (TWDB environmental requirements for the SWIFT Program).

- The environmental review must be completed prior to the approval of the EFR and release of funds for acquisition, design, and/or construction phases.
- If an existing environmental finding has been issued by another federal or state agency for the project and it meets SWIFT Program requirements, it may be adopted by the TWDB. Discuss this with the TWDB environmental reviewer as early as possible.
- At all times throughout the design, construction, and operation of the project, the Applicant shall comply with the findings and special environmental conditions resulting from the environmental review.
- Environmental findings that are five years old or older, and for which the project has not yet been implemented, must be reevaluated by the TWDB to determine whether to conduct a supplemental review or to affirm the original finding.

State Funding Only - Environmental Review

If SWIFT financial assistance is used to fund a project without any additional federal funding component, then a state-level environmental finding will be issued. Depending on the complexity of the project and its environmental impacts, projects will be subject to one of the following levels of environmental review:

1. **Determination of No Effect (DNE):** A DNE is an exclusion from a full environmental review. A DNE is the state equivalent of a Categorical Exclusion (CE) and is issued by the TWDB when a project funded through SWIFT meets the eligibility criteria under state funding requirements, based on
 - a. the eligibility criteria described in [31 TAC § 363.14](#) and
 - b. review of information submitted in the application and the CE/DNE request form ([TWDB-0803](#)).

Process: A CE/DNE request form ([TWDB-0803](#)) may be submitted with the application or prepared during the planning phase of the project after a commitment has been secured. TWDB staff will review the form and may request additional information and/or additional agency coordination.

If the TWDB Environmental Reviewer determines that the proposed project is not eligible for a DNE, then an Environmental Data Form (EDF) is required. See the process for an Environmental Determination in step 2 below.

Once all requirements have been met, the TWDB's Executive Administrator will issue a DNE that will be posted on the TWDB website and emailed to the entity, consultants, and DNE mailing list.

2. **Environmental Determination (ED):** An ED is for projects that may have numerous environmental impacts that cannot be readily avoided, minimized, or mitigated without a full impact assessment. Coordination with regulatory agencies is required. Initial review for an ED is based on
 - a. a review of the Applicant's Environmental Data Form for state programs ([TWDB-0800](#)).

Process: An Environmental Data Form ([TWDB-0800](#)) may be submitted with the application or prepared during the planning phase of the project after a commitment has been secured.

The Applicant must conduct a comprehensive assessment of potential environmental impact and coordinate with regulatory agencies, then prepare and submit an Environmental Data Form (EDF) document that TWDB staff will review.

Once all requirements have been met, the TWDB's Executive Administrator will issue an ED that will be posted on the TWDB website and mailed out to the entity, consultants, and ED mailing list.

3. **Memorandum to File (MTF):** An MTF is an environmental finding issued by the TWDB to correct, clarify, modify, or adopt a previous environmental finding issued by the TWDB or another agency, based on
 - a. a review of a previous environmental finding for the proposed project or
 - b. a review of proposed project modifications for consistency with a previous environmental finding.

Federal Funding Component Level Environmental Review

If SWIFT financial assistance is used to fund a project **in conjunction with a federal-level funding component**, then the TWDB will preferably adopt the federal funding agency's environmental finding. If the SWIFT financial assistance will be combined with federal funding from TWDB, then a NEPA-level environmental review will be required.

At the culmination of the environmental review process for projects with a federal-level funding component, the TWDB will issue one of the following environmental findings:

1. **Categorical Exclusion (CE):** A CE is an exclusion from a full environmental review, based on
 - a. the eligibility criteria described in [31 TAC § 363.14](#) as supplemented by federal requirements and
 - b. review of information submitted by the Applicant in the application and any requested information.

Process: If a project is potentially eligible for a CE, the TWDB Environmental Reviewer will request from the Applicant any additional information required to make a determination. The Applicant must provide all requested information to TWDB in a timely manner.

Once a CE is issued, it will be posted on the TWDB website, and the TWDB Environmental Reviewer will notify the Applicant that they must publish notification of the CE issuance (only once) in a local newspaper with general circulation in the project area.

The Environmental Reviewer will provide the wording as it should appear in the newspaper, including a shorter option that refers to the TWDB website posting.

2. **Finding of No Significant Impact (FONSI):** A FONSI is a full federal environmental review, based on
 - a. review of the Applicant's Environmental Information Document ([TWDB-0801](#)), and other requested information and
 - b. the Executive Administrator's EA.

Process: A FONSI is a legal document supported by an EA. The EA is prepared by the TWDB but is based primarily on the EID submitted by the Applicant.

Once a FONSI is issued, it is subject to a 30-day public comment period.

3. **Record of Decision (ROD):** A ROD is an environmental review required for projects that have significant adverse environmental impacts, based on
 - a. review of an Environmental Impact Statement (EIS) prepared by the Applicant's third-party contractor.

Process: Typically, EIS-level projects are elevated to this level of review by a regulatory agency during the permitting process, (e.g., U.S. Army Corps of Engineers).

The TWDB will then evaluate the ROD issued by the lead regulatory agency and adopt the finding.

4. **Statement of Findings (SOF):** An SOF is an environmental finding issued by the TWDB to correct, clarify, modify, or adopt a previous environmental finding issued by the TWDB or another agency, based on
 - a. review of a previous environmental finding for the proposed project or
 - b. review of proposed project modifications for consistency with a previous environmental finding.



Any project changes after the issuance of an environmental finding may require more review. Notify the TWDB Environmental Reviewer **immediately** if changes are needed.

If construction begins before the environmental review is complete, **your project may become ineligible for SWIFT funding.**

Engineering Feasibility Report

Refer to the guidance for the preparation of EFRs (drinking water project, [TWDB-0555](#) and wastewater projects, [TWDB-0556](#)) for details on the information required in the EFR. The EFR sent to the TWDB Project Engineer/Reviewer must be submitted electronically as a PDF, with searchable text, and must be signed, sealed, and dated by a professional engineer registered in the State of Texas, as per [31 TAC § 363.13](#).

The EFR should also include the following, (as applicable):

- **United States Iron and Steel requirements** ([TWDB-1105](#))
- Revised **project schedule**
- Revised **project budget** ([TWDB-1201](#))
- List and status of any **anticipated permits**, and the permitting agency



An EFR approval letter cannot be issued by the TWDB Project Reviewer/Engineer until the Environmental Review Process is complete.

Anticipated or Required Permits

The Applicant or consulting engineer should apply early and secure all permits that may be required for the project. Action should be taken as soon as practicable prior to completion of P&S and advertising for construction bids. If a floodplain permit is required, P&S approval will not be granted until the Applicant has obtained a floodplain development permit from the local floodplain administrator. In addition, for wastewater treatment projects, P&S approval will not be granted until the Texas Commission on Environmental Quality (TCEQ) has issued a discharge permit.

Land Acquisition, Buffer Zones, Right-of-Way, and Easements

Land acquisition, buffer zones, right-of-way, and easements needs should be discussed in the EFR and addressed early in the planning phase to avoid redesign of the project. The Applicant should perform an initial site assessment to verify that hazardous waste contamination of the site has not occurred.



Before starting design, Applicants and their consultants should take steps to verify all planning phase requirements have been met. **Funds associated with design phase work will not be eligible for release until planning is complete and approved.**

IX. Design Phase

Detailed P&S will be developed during the design phase. The TWDB or, if applicable, the TCEQ will provide technical review and approval of the design.

Advertisement, bid, and draft contract documents **must also** be included in the bound P&S and submitted for review and approval by the TWDB during the design phase. A Plan and Specifications Submittal Form (TWDB-0300) is available through the TWDB Financial Assistance website.

Acquisition of all necessary sites and easements, and issuance of all permits, should be completed by the end of the design phase.



NOTE: P&S, including front-end documents (advertisement, bid, draft contract, required bonds, etc.) must all be approved before the project is bid.

Design Phase Submittals



The following items must be submitted to, and approved by, the TWDB Project Engineer/Reviewer during the design phase:

- Plans and Specifications Submittal Form ([TWDB-0300](#))
- Complete P&S, advertisement, bid, and draft contract documents
- Sufficiency of Funds Statement, if applicable
- Site Certificate ([ED-101](#)), signed by the Applicant's representative
- Geotechnical report, if available
- Site map showing sanitary control easements, if applicable
- Special board resolution or environmental finding conditions satisfied for design phase



After the above information is reviewed and approved by the TWDB construction phase funds may be made available to the Applicant.

Design Criteria

The [30 TAC Chapter 290](#) design criteria must be followed in the design of all work affecting water facilities, and the [30 TAC Chapter 217](#) design criteria must be followed for all work affecting wastewater facilities. The project's design engineer is required to prepare and submit P&S for review.

Plan and Specification Technical Review



For certain water projects funded by the TWDB, technical review authority for the P&S is delegated to the TWDB. **Please contact your TWDB Project Engineer/Reviewer and the TCEQ early to determine which agency has technical review authority for your specific project.**



Where TCEQ review is required, **we highly encourage you** to coordinate with the TCEQ as early as possible during the project development process to ensure all required pilot testing, reports, permits, etc., are addressed with the TCEQ in a timely manner.

The TCEQ retains review authority on the following type of projects:

- New surface water treatment plants (WTP), including pilot and concentration-time studies
- Existing surface WTPs involving process related improvements or increase in capacity
- New well projects
- Existing well projects including increase in capacity or process related improvements
- New raw water intakes, including pumping facilities at the intake location
- Any project involving treatment, such as membranes, ion exchange, UV disinfection, etc.
- New interconnections
- New construction or improvements to disinfection and other treatment projects
- New ground storage tanks (GST), or improvements to existing GSTs, when the source of water is surface water, and GSTs are a clear well



Any variances to the TCEQ rules must be submitted to and approved by TCEQ regardless of whether the review of the P&S is done by TCEQ or the TWDB.

Along with the P&S submitted for review, the project's design engineer shall submit the following documents:

- **All projects:**
 - Completed [Plans and Specifications Submittal Form](#) noting where in the plans, specifications, or contract documents, the required language, document, or form is found. The design engineer may choose to bookmark the project's contract documents; however, the checklist must still be submitted with the P&S for the submittal to be considered complete.

- **For water projects for which the TCEQ retains review authority:**
 - Copy of TCEQ P&S approval letter
 - Copy of any exception or conditional approval

- **For water projects for which the TWDB is the review authority:**
 - Complete, signed and sealed, Engineering Design Report ([30 TAC § 290.39 \(e\)](#))
 - Complete [P&S checklists](#) in accordance with TCEQ requirements
 - Copy of any correspondence with the TCEQ, including review comments and approval letter(s)
 - If the project involves a GST and the tank also functions as a clear well at a surface WTP, provide confirmation that the TCEQ has reviewed and approved the facility for contact time

All P&S submitted to the TWDB for review must be sealed, dated, and signed by a professional engineer registered in Texas.

- For initial review, please submit
 - one (1) high-resolution, searchable PDF electronic set of P&S documents, and
 - one (1) or more hard copies, *only if requested by the TWDB Project Engineer/Reviewer.*

- After initial review comments are provided from the TWDB and addressed by the design engineer, please submit revised P&S for approval, including
 - a transmittal letter addressing each comment, including explanations, the location of the revisions (if any), and/or provide an explanation of why the revision is not necessary, and
 - one (1) high resolution, searchable PDF copy of the revised P&S for approval.

Important Plans and Specifications Reminders



➤ **The TWDB supplemental contract conditions for projects funded through TWDB state programs ([TWDB-0552](#)) must be included in the P&S. It contains three sections:**

- Section I includes instructions to Applicants.
- Section II includes language required in the “Instructions to Bidders” section of the construction contract documents.
- Section III includes all special conditions and **must be included in its entirety in the contract documents.**

➤ **Plans and Specifications must include**

- all documents required in the supplemental contract conditions,
- mitigation measures and special conditions identified in the environmental review, and
- conditions identified in required permits.



IMMEDIATELY notify the TWDB Project Engineer/Reviewer and Environmental Reviewer if modifications have been made to the project scope, EFR(s), and/or the P&S.

Amendments to the EFR(s) may require revisions to the environmental finding(s). Any significant changes to the project scope occurring after a financing commitment may require Board approval.

X. Bidding Phase

Competitive bidding is a widely used method of obtaining and selecting contractors for construction projects. Typically, the use of competitive bidding is mandated by law or regulation. The Applicant and its consulting engineer must comply with [Subchapter B, Chapter 252 of the Local Government Code](#) and other applicable statutes. Applicants should consult with their legal counsel if there is any uncertainty regarding which specific bidding laws apply to a particular project.

In general, the bid phase includes the following steps:

- Advertising
- Pre-bid conference
- Bid opening and bid evaluation
- Bid documents and TWDB approval to award contract
- Contract award and issuance of Notice to Proceed

Alternative Delivery for Construction Projects



Intended use of alternative delivery methods **must be discussed with TWDB staff at the pre-application meeting, or earlier if possible.**

Design-build, construction manager at risk, and other alternative methods of project delivery are eligible approaches that can be used in accordance with programmatic requirements, as outlined in the alternative delivery guidance ([TWDB-0570](#)) and is consistent with the requirements in [31 TAC 10 Chapter 363 Subchapter M](#). The TWDB will provide written guidance regarding modifications of the review, approval, and release of funds processes for alternative delivery projects based on the type of financial assistance and method of alternative delivery.



Authorization from the TWDB's Project Engineer/Reviewer should be obtained prior to advertising bids.

Advertising

Authorization to bid is based on the TWDB review of the following documentation:

- TWDB approval of the P&S
- Acquisition of all property needed for the project certified on the TWDB Site Certificate Form ([ED-101](#))
- All permits, licenses, and other legal authorizations required by federal, state, and local agencies

Invitation to Bid

The Invitation to Bid (or Instructions to Bidders) should summarize key information about the project. Its purpose is to attract bidders, announce the bidding schedule for the project, and provide sufficient information to enable prospective bidders to determine whether they should obtain copies of the bidding documents. For detailed information on language to be used in the Invitation to Bid, see the TWDB supplemental contract conditions for projects funded through state programs ([TWDB-0552](#)).

Pre-Bid Conference

Pre-bid conferences help to familiarize prospective bidders with the project site and scope of the work.



The TWDB's Project Engineer/Reviewer **should be notified concurrent with bidders** of the date, time, and location of the pre-bid conference.

It is advisable that **no oral statements** be made at the conference that cannot be appropriately reduced to written form in subsequent addenda.

Addenda

Bidders must acknowledge the receipt of all addenda with their bids to ensure that all bidders are bidding on the same effort. Addenda should be issued in an expeditious manner to all document holders of record. The addenda should be submitted to the TWDB concurrent with issuance to bidders.

Bid Opening and Bidder Evaluation

Procedures to follow at the bid opening should be established ahead of time and included in the Instructions to Bidders.



The TWDB Project Engineer/Reviewer **should be notified concurrent with bidders**, of date, time, and location of the bid opening.

After the bids have been opened and tabulated, the Applicant and consulting engineer **should evaluate the bids and bidders** according to the criteria and process outlined in the bid documents for determining responsiveness and responsibility of the bidder.

Bidding Documents and TWDB Approval to Award Contract



The TWDB Project Engineer/Reviewer should receive the following information and documents **as soon as possible after bid opening and before execution** of the construction contract:

- Construction Award Submittal Form ([TWDB-0400](#))*
- Bid tabulation
- Bid proposal of apparent low bidder with bid bond
- Advertisement and affidavit of advertisement
- Consulting engineer's recommendation to Applicant for award
- Explanation for any rejected bids or other bidding irregularities
- Construction inspection proposal
- Site Certificate ([ED-101](#))
- Vendor Compliance with Reciprocity on Non-Resident Bidder ([TWDB-0459](#))
- Any addenda not previously submitted

**Alternative delivery projects should submit Alternative Delivery Work Package Award Submittal Form ([TWDB-0400A](#))*

After receiving and reviewing the information identified as bid document submittals, the TWDB Project Engineer/Reviewer will authorize the Applicant to contingently award the construction contract.



Prior to award of a contract, all required bid documents must have TWDB approval.

Contract Award Document Submittals

The Applicant or consulting engineer should submit the following documents as soon as possible after contract award and **prior to issuance of a Notice to Proceed to the Contractor.**



Fully executed and bound construction contract documents submitted electronically to the TWDB for review must include the following submittals:

- Executed Construction Submittal Form ([TWDB-0500](#))
- Executed contract agreement signed by all appropriate parties and notarized, if applicable
- Specifications **as approved by the TWDB** with executed bid proposal
- Payment, performance, and other bonds with power of attorney
- Contractor's proof of insurance Certificate
- Executed Contractor's Act of Assurance ([ED-103](#))
- Executed Contractor's Act of Assurance Resolution ([ED-104](#))
- Sufficiency of funds letter (if applicable and not previously submitted)
- A schedule with anticipated construction start and end dates for the contract

- Water Rights Certification issued by the TWDB Deputy Executive Administrator, if required



The Applicant should double check that all blanks in the executed contract agreement are filled and the dollar amount matches the approved bid documents.

After approval of contingently executed contract documents, the TWDB Project Engineer/Reviewer will issue a letter concurring with the issuance of a Notice to Proceed with construction. At this time, construction phase funds associated with the approved construction contract are eligible for release.



Before issuing a Notice to Proceed to the Contractor and starting construction, the Applicant and their consulting engineer should take steps to verify all prerequisites have been met to ensure construction will be performed in accordance with the approved construction contract.

XI. Construction Phase

Prior to issuing a Notice to Proceed to the Contractor, and before initiating construction, the Applicant should take steps to verify that all prerequisites are in place to ensure construction is performed in accordance with the approved contract documents.

The following construction-phase topics are discussed in detail in the TWDB supplemental contract conditions for state-funded projects ([TWDB-0552](#)) to help with this goal.

Preconstruction Conference



A preconstruction conference **should be scheduled prior** to issuance of a Notice to Proceed, and be attended by the owner, consulting engineer, Contractor, and the TWDB Project Engineer/Reviewer.

The purpose of this meeting is to establish a working understanding among the parties as to the work to be accomplished and to discuss project schedules, milestones, procedures, program requirements, etc., for each construction contract.

Applicant Inspection

The Applicant shall provide adequate inspection of the project under the supervision of a licensed registered professional engineer. The engineer must provide assurance that the work is being performed in a satisfactory manner; in accordance with the approved P&S, other engineering design, and permits (including approved alterations and provisions for environmental mitigative measures); and in accordance with sound construction principles and practices.

- Please review the Guidelines for Inspector Qualifications ([ED-005](#)) for more information.
- The Applicant should require a thorough daily log of activities be maintained.
- The Applicant is responsible for ensuring that all required testing is conducted, observed, and documented.

Contractor Claims

Awareness, documentation, and communication will aid in prevention and resolution of contractor claims. Financing money may not be eligible for increased costs due to claims.

TWDB Construction Site Visits

The TWDB may conduct site visits regarding construction and audit activities of any SWIFT project, at any time, and shall be provided access to the project site and any project materials, records, or reports.

- The TWDB Project Engineer/Reviewer will schedule periodic project site visits, issue inspection reports, and make them available to the Applicant and their consulting engineer.
- Inspection reports and observation visits do not relieve the Applicant of the responsibility to provide qualified on-site inspections and engineering reviews to determine the acceptability of work in progress.
- The Applicant is responsible for corrective actions regarding any items found to be noncompliant with SWIFT funding agreements during site visits or record review.

Change Orders

The construction contract is between the Applicant and the Contractor, and any change orders signed by these two parties become part of that contract regardless of TWDB funding eligibility or participation. Change orders are to be submitted electronically to the TWDB's Project Engineer/Reviewer for review of funding eligibility and approval.

TWDB Staff reviews and approves change orders for

- eligibility of funding,
- conformance with design criteria,
- avoidance of environmental impacts and consistency with the environmental finding,
- a change order resulting in a change of scope of the project that may require action by the TWDB, and
- a change order that may require action by the TCEQ.



Update all project stakeholders of any changes, concerns, or delays promptly. To ensure eligibility, please send change orders **immediately** to the TWDB for review and approval. **Substantial changes to the project scope or increases to the initial TWDB commitment amount will require Board authorization.**

Retainage

Generally, a minimum of five percent retainage is required by law on all public works contracts ([10 Texas Governmental Code F § 2252.032](#)). The amount, deposit, and investment requirements for retainage are unique to each construction project. If there is any uncertainty regarding specific situations, the Applicant's legal counsel should be consulted.

- Retainage must not be released or reduced below five percent without the consent of the TWDB.
- A Certificate of Approval (COA) will be issued by the TWDB after each contract is finalized and close-out documentation has been provided to the TWDB Project Engineer/Reviewer.
- The COA authorizes the Applicant to release retainage to the Contractor.

Project Records

It is in the Applicant's interest to keep an organized system of documentation for the project. Refer to Project Files & Construction Records ([WRD-017](#)) for guidance.

Operation and Maintenance (O&M) Manuals

Preparation of an O&M manual is encouraged and is an eligible use of TWDB funds. We suggest the final O&M manual be submitted to the Applicant before construction is 85 percent complete so the manual will be available during start-up. For guidance, see O&M Manual - Recommendations ([ED-006](#)).

Operations

The following are staffing guidelines for your project:

- Hire and train operating personnel who will run the facility. They should be available during the later stages of construction and start-up, and if possible, they should have some input into the O&M manual.
- Operating personnel should visit the project during construction. Caution them to give no direction to the Contractor; however, their comments and suggestions should be forwarded to the consulting engineer for consideration.
- Provide operator training prior to acceptance of the facility that includes review of the O&M manual and, if possible, on-site training by the supplier's representatives during start-up.
- Staffing should be in accordance with the O&M manual.

TWDB Reporting

- **Status Reports:** The Applicant may be required to provide TWDB status reports/updates on a quarterly basis until TWDB project close-out.
- **Historically Underutilized Business (HUB) Reporting:** Applicants receiving financial assistance from the Board must report project funds used to compensate HUBs (if any), to the Executive Administrator, per [31 TAC § 363.1312](#). TWDB staff will request HUB status updates annually.

TWDB Close-out Submittals



To close the contract and release final retainage, the TWDB must conduct a construction contract final inspection (CCFI). The following information and documents must also be submitted to the TWDB Project Engineer/Reviewer for review:

- A copy of the Contractor's final payment request
- Any outstanding change orders not approved by the TWDB to date, adjustment of quantities, or a statement that there are no further change orders
- An affidavit by the Contractor that all bills have been paid
- Certification by the consulting engineer that the contract has been completed, and that the work was constructed in accordance with the approved P&S
- Acceptance of the work under this contract by the owner in the form of a letter signed by owner's representative
- Notification of the beginning date of the warranty period for the contract
- Confirmation that the owner has received as-built drawings from the Contractor
- Certificate of Compliance with U.S. Iron and Steel Requirements ([TWDB-1105-A](#))



Once a CCFI has been conducted and approved, and all the documents listed above have been submitted to the TWDB Project Engineer/Reviewer, the TWDB will issue a COA, allowing the release of retainage to the Contractor. **Retainage must not be released or reduced below 5 percent without the consent of the TWDB.**

Post Construction

The TWDB has an interest in the continuing performance of the project components for the life of the financing.

Applicants should be aware that the Water Conservation Plan required by the financing should remain in effect for the life of the financing and be updated as needed at a minimum every five years. Recipients of financial assistance are required to report annually on the implementation and status of the required water conservation program for the life of the financing. If the applicant is a retail water provider, they will be required to submit a water loss audit annually for the life of the financing.

Monitoring

For financing under the SWIFT Program, the Financial Compliance Staff of the TWDB Finance Office is responsible for monitoring the Applicant's financial stability and compliance, from the first receipt of funds until final repayment of the debt. Compliance staff is available by phone to assist all borrowers and can arrange a visit to the Applicant's location to assist in financial compliance matters.

Financial Compliance's goal is to provide the TWDB with reasonable assurance that all recipients continue with agreed upon terms of any debt agreement, and that financing recipients continue to have the ability to repay debt in a timely and agreed upon manner.

Financing Monitoring

Financial Compliance monitors financing activities, including reviews of audited financial statements of every entity in the TWDB's portfolio. In addition, Financial Compliance can arrange on-site assistance if appropriate.

Project Monitoring

Project monitoring activities include reviews of final accountings, which are a summary of the sources and uses of funds usually provided at the completion of a project.

Attachment 1. Prioritization

[Prioritization Summary](#) (PDF download)

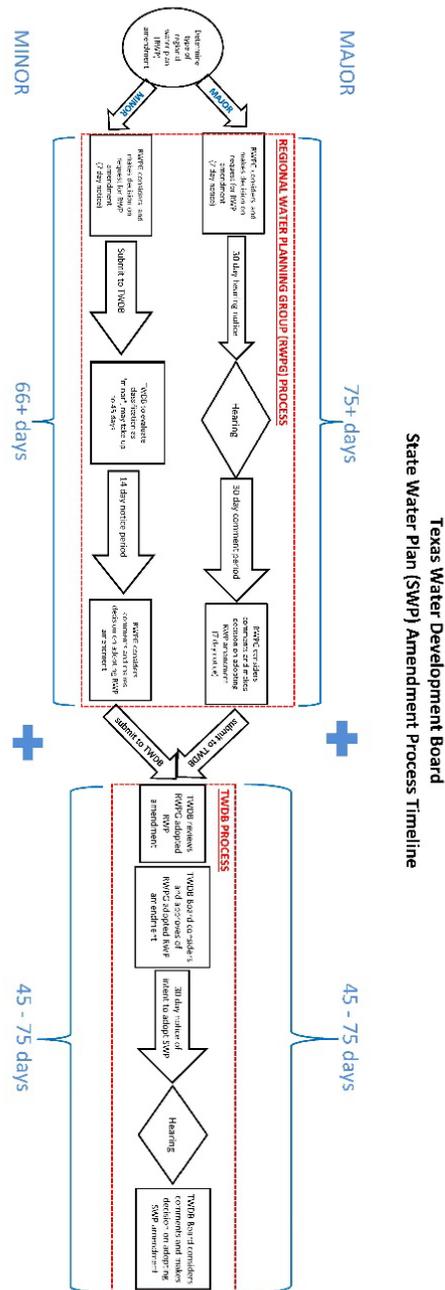
Prioritization for State Water Implementation Fund for Texas (SWIFT)

The Texas Legislature directed the TWDB to develop rules that specify how projects will be prioritized for SWIFT funding according to criteria (in bold). The prioritization system in 31 Texas Administrative Code §363.1304 assigns points as follows:

| <i>Highest consideration must be given to projects that will:</i> | Maximum Points | <i>Additional criteria that TWDB must consider:</i> | Maximum Points |
|---|-----------------------|---|-----------------------|
| Serve a large population , based on a range of populations to be served by the project, from at least 10,000 to at least 1,000,000 | 30 | Local contribution , including federal funding ; up-front capital (such as funds already invested in the project or cash on hand); and/or in-kind services to be invested in the project | 5 |
| Provide assistance to a diverse urban and rural population , based on the number of rural populations served in addition to at least one urban population | 30 | Financial capability of the applicant to repay , based on the applicant's household cost factor (the average annual cost of service per household divided by the median household income) | 2 |
| Provide regionalization , based on the number of entities served in addition to the applicant | 30 | Emergency Need , based on the TCEQ's list of local public water systems with a water supply that will last less than 180 days without additional rainfall; a water supply need anticipated to occur in an earlier decade than identified in the most recent state water plan; and/or the applicant has used or applied for federal funding for the emergency | 5 |
| Meet a high percentage of water supply needs of users to be served by the project , based on water supply needs, as identified in the state water plan, that will be met during the first decade the project becomes operational | 30 | Readiness to proceed , based on applicant's completion of preliminary planning and/or design work; ability to begin implementing or constructing the project within 18 months of application deadline; and acquisition of water rights associated with the project | 8 |
| | | Demonstration or projected effect of the project on water conservation, including preventing water loss , based on reductions in gallons per capita per day water use; meeting water loss thresholds established by the TWDB's rules; or projected water efficiency improvements for agricultural projects | 15 |
| Maximum "Highest Consideration" <i>(Points awarded in this section may not exceed 50)</i> | 50 | Maximum "Additional Criteria" Subtotal* | 35 |
| Maximum Total Points: 85 | | | |
| (Sum of "Highest Consideration" Subtotal and "Additional Criteria" Subtotal) | | | |

**Points are no longer awarded based on the priority assigned by regional water planning groups (RWPGs), due to legislative changes from House Bill 1905, 87th Legislative Session, relating to relieving RWPGs of certain duties (including project prioritization).*

Attachment 2. Amendment Process Flowchart



October 2019/2021

PDF Download: [Amendment process flowchart](#)

More information regarding amendments may be found on the [TWDB SWIFT webpage](#) (Item No. 7) or within the [amendment to the regional water plan](#) guidance document.

Appendix A: Forms and Guidance Manuals

- [Alternative Delivery Work Package Award Submittal Form \(TWDB-0400A\)](#)
- [Application Affidavit \(TWDB-0201\)](#)
- [Application Filing and Authorized Representative Resolution \(TWDB-0201A\)](#)
- [Application Resolution - Certificate of Secretary \(TWDB-0201B\)](#)
- [Construction Award Submittal Form \(TWDB-0400\)](#)
- [Contractor's Act of Assurance \(ED-103\)](#)
- [Contractor's Act of Assurance Resolution \(ED-104\)](#)
- [Engineering Feasibility Report \(EFR\) Guidance](#)
 - [Wastewater \(TWDB-0556\)](#)
 - [Water \(TWDB-0555\)](#)
- [Engineering Planning Submittal Form \(TWDB-0200\)](#)
- [Executed Construction Submittal Form \(TWDB-0500\)](#)
- [Financial Assistance Application Checklist for Public Entities/Political Subdivisions \(TWDB-0148\)](#)
- [Ground Water Affidavit form \(TWDB-208B\)](#)
- [Guidelines for Inspector Qualifications \(ED-005\)](#)
- [Plans and Specifications Submittal Form \(TWDB-0300\)](#)
- [Planning Information Form](#)
 - [Wastewater \(WRD-253A\)](#)
 - [Water \(WRD-253D\)](#)
- [Project Budget Form \(TWDB-1201\)](#)
- [Project map example \(TWDB-1800\)](#)
- [Site Certificate Form \(ED-101\)](#)
- [Surface Water Affidavit Form \(WRD-208A\)](#)
- [SWIFT Private Placement Memorandum](#)
- [Texas Water Development Board Supplemental Contract Conditions and Instructions for Construction Services for Projects Funded through State Programs \(TWDB-0552\)](#)
- [United States Iron and Steel Certificate of Compliance Form \(TWDB-1105-A\)](#)
- [United States Iron and Steel Guidance for Projects Funded Through State Programs \(TWDB-1105\)](#)
- [Vendor Compliance with Reciprocity of Non-Resident Bidders Form \(TWDB-0459\)](#)
- [Water Conservation Plan Goals Table Form \(TWDB-1964\)](#)
- [Water Conservation Plan Guidance Checklist \(TWDB-1968\)](#)
- [Water Conservation Utility Profile Form \(Retail\) \(TWDB-1965R\)](#)
- [Water Conservation Utility Profile Form \(Wholesale\) \(TWDB-1965W\)](#)

Appendix B: Links and Resources

TWDB State Water Implementation Fund (SWIFT) Resources

The main SWIFT webpage, additional guidance manuals, and SWIFT-related resources can be found with the following links:

- [TWDB SWIFT Webpage](#)
- [SWIFT, 31 TAC 10 363, Subchapter M](#)
- [TWDB Administrative Rules \(adopted per TAC\)](#)
- [Program Guidance and Manuals/Forms](#)
- [United States Iron and Steel](#)
- [Regional Project Implementation Teams](#)

Application Resources

- [Financial Assistance Application](#)
- [Instructions on How to Apply \(SWIFT\)](#)
- [Frequently Asked Questions on General Application Submittals](#)
- [TWDB Online Loan Application \(OLA\) Login](#)

Water Planning Resources

- [State Water Plan](#)
- [Regional Water Planning Rules & Statutes](#)
- [Data, Apps and Maps/GIS](#)
- [Regional Water Planning](#)
- [Water Use Survey](#)
- [TWDB Water Supply and Infrastructure Staff](#)

Financial Resources

- [TWDB Interest Rates](#)
- [Closing a TWDB Commitment](#)