

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	June 2, 2026	Consent [X]	Regular []
Department:	Water Utilities Department	Public Hearing []	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A.) **Authorize** the Palm Beach County Water Utilities Department (PBCWUD) to pursue funding from the Florida Department of Environmental Protection (FDEP) for the Drinking Water State Revolving Fund (DWSRF) Planning and Design Loan Application for an amount estimated up to \$34,000,000 for expansion of Water Treatment Plants (WTP) 2, 8 and 11.
- B.) **Delegate authority** to the County Administrator, or designee, to sign all loan application forms and supporting documents and complete all registration requirements, execute the forthcoming loan agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming loan agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the forthcoming loan agreement.

Summary: The DWSRF Program provides low-interest loans to eligible entities for planning, design and construction of public water facilities. WTPs 2, 8 and 11 require significant upgrades to meet current and emerging federal regulatory requirements, including standards established under the Safe Drinking Water Act. Without improvements, the plants face increased risk of noncompliance, potential enforcement actions, and reduced reliability in delivering safe drinking water. The loan application will be submitted by June 30, 2026. The loan terms include a 20-year (30-year for financially disadvantaged communities) amortization and low-interest rates. The DWSRF financing rate is determined using the Bond Buyer 20-Bond GO Index average market rate for the full weeks occurring during the three (3) months in the preceding fiscal quarter and applying that average rate to a formula from the rule. There are up to 0.85% in additional rate reductions (the minimum interest rate is 0.2%) that may be assessed based on Davis Bacon requirements, American Iron and Steel requirements, implement of an asset management plan, and constructing a water conservation project. **The loan repayment will be funded from Water Utilities user fees, connection fees and balance brought forward.** (PBCWUD Project Nos. 24-033, 25-029, & 25-034) Countywide (MWJ)

Background and Justification: Former President Biden signed the Bipartisan Infrastructure Law (BIL) on November 15, 2021. The BIL provides \$5 billion through the SRFs to reduce exposure to PFAS and other emerging contaminants through drinking water. The BIL provides emerging contaminants funding through the SRF that must be distributed to communities entirely as forgivable loans or grants.

Attachments:

- 1. Request For Inclusion On The Drinking Water Priority List (FDEP Loan Form)
- 2. Location Map

Recommended By:	<u>Al. Bayat</u>	<u>4/22/26</u>
	Department Director	Date
Approved By:	<u>Fav</u>	<u>4/23/26</u>
	Chief Deputy County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2026	2027	2028	2029	2030
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: **Fund** **Dept** **Unit** **Object**

Is Item Included in Current Budget? Yes No X

Does this item include the use of Federal Funds? Yes No X

Does this item include the use of State Funds? Yes X No

Reporting Category N/A

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact.

C. Department Fiscal Review: Stephen March-Covatta 4/22/26

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

Lucy Math 4/22/26
OFMB
4/22
COW 4-22-26

Mundo Bruch 4/24/26
Contract Development and Control
267 4-23-26

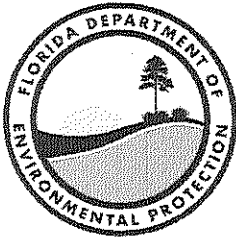
B. Legal Sufficiency:

[Signature] 4/24/26
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.



Florida Department of Environmental Protection
REQUEST FOR INCLUSION ON THE
DRINKING WATER PRIORITY LIST

Drinking Water State Revolving Fund Program
 Douglas Building, 3900 Commonwealth Blvd, Tallahassee, Florida 32399-3000

The information in this Request for Inclusion (RFI) application is used to determine project eligibility and priority scoring. The priority score is used to rank projects for placement on the State Revolving Fund (SRF) priority list. Only projects placed on the fundable portion of the priority list receive consideration for a loan. Please note that costs incurred before the adoption of the project on the fundable or waiting portion of the priority list are not eligible for reimbursement.

1. Applicant's Name and Address.

Project Sponsor: _____ Contact Person: _____ Title: _____

 (street address)

 (city) _____ (county) _____ (zip code)

 (telephone) _____ (ext.) _____ (e-mail)

Contact Person Address (if different): _____
 _____ (street address) _____ (city) _____ (state) _____ (zip code)

2. Name and Address of Applicant's Consultant (if any).

Firm: _____ Contact Person: _____ Title: _____

 (street address)

 (city) _____ (zip code)

 (telephone) _____ (ext.) _____ (e-mail)

3. Type of Loan Requested in this Application. (select only one loan category and project type)

Planning Loan <input type="checkbox"/>	Design Loan <input type="checkbox"/>	Planning and Design Loan <input type="checkbox"/>	Construction Loan <input type="checkbox"/>
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Project Type: Design/Bid/Build Design/Build (D/B) Construction Manager at Risk (CMR)

Note: Procurement of professional services must meet the requirements of the Consultants' Competitive Negotiation Act, Section 287.055, F.S.

Eligibility for a Loan. In order to be considered for a priority listing, the following conditions must be met:

- The respondent to this solicitation must qualify as a "project sponsor" as defined in subsection 62-552.200(27), F.A.C.
- The minimum construction loan amount is \$75,000.
- The project sponsor must agree to submit biddable plans and specifications within 1-year after execution of the loan agreement to qualify for a combined planning and design loan.
- The project is part of a public water system as defined in subsection 62-552.200(28), F.A.C., and may include drinking water supply, storage, transmission, treatment, disinfection, distribution, residuals management, and appurtenant facilities.

REQUEST FOR INCLUSION ON THE DRINKING WATER PRIORITY LIST

4. Median Household Income, Population and Principal Forgiveness Percentage (PF%). (complete a. through e. below)

- Median household income (MHI): _____ (current U.S. Census data or verifiable estimates)
- State median household income (SMHI): _____ (current U.S. Census data)
- Population (P) served _____ = number of service connections _____ times 2.5 persons per connection to include proposed connections.
- Is the project sponsor applying for a planning and/or design loan with principal forgiveness? Yes No . If yes, then PF is 50%. *Only a sponsor that qualifies as a financially disadvantaged small community is eligible for a planning/ design loan with PF.*
- Is the project sponsor applying for a construction loan with principal forgiveness? Yes No . If yes, then PF% is calculated using the formula: $PF\% = 1760/9 - 160 \times (MHI/SMHI) - 7/4500 \times P$.

Calculate PF% for a construction loan using the above formula: _____ (minimum 20% and maximum 90%).
If the sponsor is connecting a financially disadvantaged small community as defined below, a maximum 50% PF is available.

Please note that the calculated PF% is an estimate and the actual percentage will be determined by the Department. The amount of loan available with principal forgiveness for a project is dependent upon the amount of funds allocated for the fiscal year.

Eligibility for a loan with principal forgiveness. In order to be considered for a loan with principal forgiveness, the following conditions must be met:

- The project sponsor must qualify as a financially disadvantaged small community public water system as defined in Rule 62-552.200, F.A.C., unless the sponsor is specifically exempted from this requirement.
- The median household income (MHI) of the sponsor's service area must be less than the state median household income (SMHI) as reported from the current U.S. Census data or from verifiable estimates, unless the sponsor is specifically exempted from this requirement.
- The population (P) of the sponsor's service area must be less than 10,000 (to include the population from the project's proposed future connections), unless the sponsor is specifically exempted from this requirement.
- The project sponsor is allowed only one open loan with principal forgiveness. A loan is deemed open until the final disbursement of the project has been paid by the department.
- A project sponsor is eligible for a construction loan with principal forgiveness (maximum 50%) if connecting a community with less than 250 residential wells; an existing public water system with less than 250 service connections; or a separate, non-interconnected public water system owned by the sponsor. The project area must qualify as a financially disadvantaged small community.
- A financially disadvantaged community with a population of 10,000 or more is eligible for a construction loan with 20% principal forgiveness if dollars are available after funding all eligible financially disadvantaged small communities.
- A project sponsor that is a for-profit entity is not eligible for principal forgiveness.
- A construction project for a financially disadvantaged small community that uses a Construction Manager at Risk delivery method is ineligible for principal forgiveness.

5. Interest Rate Percentage.

The interest rate for a loan with the Department is determined using the following formula:

$$\% \text{ of MR} = 40 \times (MHI/SMHI) + 15 \qquad \% \text{ of MR} = \text{Percentage of Market Rate.}$$

Calculate and enter the % of MR below:

$$\% \text{ of MR for a loan: } \underline{\hspace{2cm}} \qquad (35\% \leq \% \text{ of MR} \leq 75\%)$$

Please note that the calculated % of MR is an estimate and the actual interest rate will be determined by the Department. The interest rate for a loan shall not be less than 0.2 percent.

6. Base Priority Score. Each project shall receive a base priority score (BPS) dependent on the weighted average of its components. The BPS shall be determined using the below formula where CPS means the component priority score and CCC means component construction cost.

$$BPS = [CPS_1 \times CCC_1 + \dots + CPS_n \times CCC_n] / \text{Total Construction Cost}$$

Select each component and component score in Table 1 below that apply to the project, enter the estimated construction costs, and calculate the base priority score.

- Component priority scores that are based on contaminant levels must be justified by sample analytical data (see exception in notes at bottom of Table 1). The date of sample collection must be less than 24-months from the submittal date of the Request for Inclusion.
- The project sponsor must provide documentation demonstrating that contaminant levels (e.g. disinfection byproducts) cannot be reduced by adjusting system operations, if applicable.

REQUEST FOR INCLUSION ON THE DRINKING WATER PRIORITY LIST

- A compliance-1 category component score of 400 points, if selected in Table 1, must be supported by documentation demonstrating the need for the project; otherwise, a component score of 300 points shall be assigned.

Table 1

<u>Project Component</u> (select all components that apply)	<u>Component Priority Score</u>	<u>Component Construction Cost</u>
Acute Public Health Risk		
<input type="checkbox"/> 1a. E-Coli or Fecal Coliform Exceed MCL (62-550.310(5), F.A.C.)	800 points <input type="checkbox"/>	_____
<input type="checkbox"/> 1b. Nitrate, Nitrite, or Total Nitrogen Exceed MCL (62-550.310(1), F.A.C., Table 1)		
<input type="checkbox"/> 1c. Lead or Copper Exceed Action Level (62-550.800, F.A.C.)		
<input type="checkbox"/> 1d. Surface Water Filtration/Disinfection Noncompliance (62-550.817(2), F.A.C.)		
Potential Acute Public Health Risk		
<input type="checkbox"/> 2a. Nitrate, Nitrite, or Total Nitrogen 50% of MCL (62-550.310(1), F.A.C., Table 1)	700 points <input type="checkbox"/>	_____
<input type="checkbox"/> 2b. Microbiologicals Exceed MCL (62-550.310(5), F.A.C.)		
<input type="checkbox"/> 2c. Surface Water Enhanced Filtration/Disinfection Noncompliance (62-550.817(3), F.A.C.)		
<input type="checkbox"/> 2d. State Health Certification of Acute Health Risk, Unregulated Microbiological Contaminant		
<input type="checkbox"/> 2e. Violation of Disinfection Requirements (62-555.320(12), F.A.C.)		
Chronic Public Health Risk		
<input type="checkbox"/> 3a. Inorganic/Organic Contaminant Exceed MCL (62-550.310(1) & (4), F.A.C., Tables 1,4,5)	600 points <input type="checkbox"/>	_____
<input type="checkbox"/> 3b. Disinfection Byproducts Exceed MCL (62-550.310(3), F.A.C., Table 3)		
<input type="checkbox"/> 3c. Radionuclides Exceed MCL (62-550.310(6), F.A.C.)		
Potential Chronic Public Health Risk		
<input type="checkbox"/> 4a. Inorganic/Organic Contaminant 50% of MCL (62-550.310(1) & (4), F.A.C., Tables 1,4,5)	500 points <input type="checkbox"/>	_____
<input type="checkbox"/> 4b. Disinfection Byproducts 80% of MCL (62-550.310(3), F.A.C., Table 3)		
<input type="checkbox"/> 4c. State Health Certification of Chronic Health Risk, Unregulated Chemical Contaminant		
Compliance-1 Projects (documentation must be attached or default to Compliance-2 score)		
<input type="checkbox"/> 5a. Infrastructure upgrades to facilities undersized, exceed useful life, or with equipment failures	400 points <input type="checkbox"/>	_____
<input type="checkbox"/> 5b. Insufficient water supply source, treatment capacity, or storage		
<input type="checkbox"/> 5c. Water distribution system pressure less than 20 psi		
<input type="checkbox"/> 5d. Eliminate dead ends and provide adequate looping in a distribution system		
<input type="checkbox"/> 5e. Replace distribution mains to correct continual leaks, pipe breaks, and water outages		
<input type="checkbox"/> 5f. New water system or extension of existing system to replace contaminated or low yield wells		
<input type="checkbox"/> 5g. Lack of significant safety measures (e.g. chemical containment)		
<input type="checkbox"/> 5h. Secondary Contaminant MCL Exceedance (62-550.320, F.A.C.)		
<input type="checkbox"/> 5i. Drinking water supply project as defined in 403.8532(9)(a), F.S.		
Compliance-2 Projects		
<input type="checkbox"/> 6a. Treatment, Storage, Power, and Distribution Requirements (62-555.320, F.A.C.)	300 points <input type="checkbox"/>	_____
<input type="checkbox"/> 6b. Minimum Required Number of Wells (62-555.315(2), F.A.C.)		
<input type="checkbox"/> 6c. Well Set-back and Construction Requirements (62-555.312 and 62-555.315, F.A.C.)		
<input type="checkbox"/> 6d. Cross-Connection Control Requirements (62-555.360, F.A.C.)		
<input type="checkbox"/> 6e. Physical Security Project Documented in a Vulnerability Analysis		
<input type="checkbox"/> 6f. Consolidation or regionalization of public water systems		
<input type="checkbox"/> 6g. Water or Energy Conservation Project		
<input type="checkbox"/> 7. All Other Projects (including land or public water system acquisition projects)	100 points <input type="checkbox"/>	_____

Note: Item 2d. and 4c. of Table 1 requires a State Health Officer to complete the form "Certification of a Public Health Risk". If 50% or more of wells meet contaminant levels from Table 1 above, then select the appropriate health risk category in Table 1. Flooded wells and wells under the direct influence of surface water are considered an unregulated microbiological potential acute public health risk and require documentation of occurrence in lieu of sampling data.

7. **Affordability Score.** The extent of affordability existing in a small community to be served by the project shall be reflected in the priority score. Points shall be awarded based upon two affordability criteria: median household income (MHI) and population (P) served. These points are to be added to the base priority score. Calculate the affordability score using the following formulas:

$$\text{Affordability Score} = (\text{MHI Score} + \text{Population Score})$$

$$\text{MHI Score} = 100 \times (1.00 - \text{MHI}/\text{SMHI}), \text{ zero} \leq \text{MHI score} \leq 75, \text{ rounded to nearest whole number}$$

$$\text{Population Score} = 50.0 - (P/200), \text{ population score} \geq \text{zero}, \text{ rounded to nearest whole number}$$

REQUEST FOR INCLUSION ON THE DRINKING WATER PRIORITY LIST

- 8. Water Conservation Score.** A project sponsor with a qualifying water conservation project is eligible to receive an additional 100 points added to their base priority score if the sponsor provides a water conservation plan in accordance with EPA's Water Conservation Plan Guidelines document number EPA-832-D-98-001, August 6, 1998.
- 9. Total Priority Score.** Total priority score equals the base priority score plus the affordability score. (complete a. through d. below)
- a. Base priority score: _____ points.
 - b. Affordability score: _____ points (> zero).
 - c. Water Conservation score: _____ points.
 - d. Total priority score: _____ points (sum of items a. and c.)

- 10. Estimated Project Cost.** (complete a. through i. below)
(enter \$0 if activity is not applicable)

<u>Project Activity</u>	<u>Cost</u>
a. Planning.	_____
b. Design (not applicable if a D/B project).	_____
c. Eligible land (necessary land divided by total land times purchase price).	_____
d. Constr., equip., material, demo. & related procurement (include design if D/B project).	_____
e. Construction contingency (10% of 'd', only applicable for Design/Bid/Build projects).	_____
f. Technical services during construction and after bid opening.	_____
g. Asset management plan per 62-552.700(7), F.A.C.	_____
h. <u>Total project costs</u> (sum of a. through g.).	_____
i. <u>Loan amount requested</u> by the sponsor in this RFI (assume no principal forgiveness).	_____

List all funding sources (including grants for this project): _____

- 11. Project Schedule.** (complete a. through d. below)

<u>Project Activity</u>	<u>(M/D/YY)</u>
a. Submit planning documents.	_____
b. Submit design/bid documents or RFQ/RFP for CMR & D/B projects.	_____
c. Start construction.	_____
d. Complete construction.	_____

- 12. Project Information.** Provide the following information, if applicable.
(select all items below that are attached to this RFI)

- Project description, location with lat/long (degrees), water system PWS ID, and project need (*this is a required attachment*).
- Map of city and county limits, existing and proposed service area, and project area (*this is a required attachment*).
- Lab data, lab data with operational records, or substantiated documentation in lieu of lab data for public health risk projects.
- Certification of a Public Health Risk form completed by a State Health Officer.
- Supporting documentation for projects identified under the Compliance-1 project categories from Table 1 above.
- Project schedule showing plans and specs completion within 1-year of the execution date of a planning/design loan.
- Supporting documentation if MHI not taken from current U.S. Census data.
- Water Conservation Plan in accordance with EPA guidelines.

13. Certification by an Authorized Representative. I certify that this form and attachments have been completed by me or at my direction and that the information presented herein is, to the best of my knowledge, accurate and true.

(signature) (date) (e-mail)

(print name) (print title)

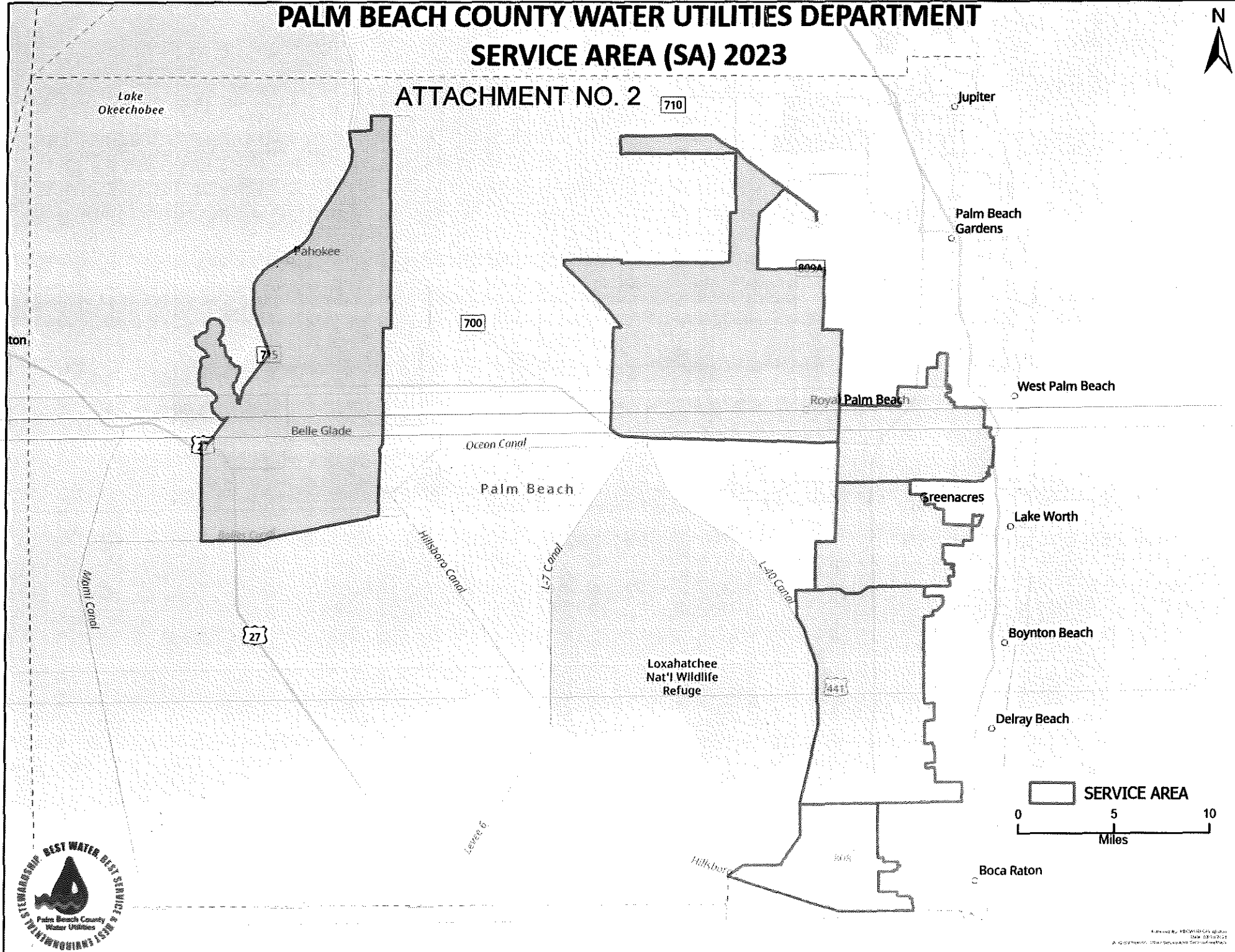
mail the completed RFI form with attachments to SRFRFI@FloridaDEP.gov or mail to the Florida Department of Environmental Protection, State Revolving Fund Program, 3900 Commonwealth Blvd, Tallahassee, Florida 32399-3000.

PALM BEACH COUNTY WATER UTILITIES DEPARTMENT

SERVICE AREA (SA) 2023



ATTACHMENT NO. 2



PREPARED BY: HENNINGSON & ASSOCIATES
DATE: 08/20/23
A. G. HENNINGSON, COUNTY ENGINEER AND DESIGNER