

**RESOLUTION RE-AUTHORIZING THE SOFT COST
GRANT PROGRAM AND PROVIDING ADDITIONAL
FUNDING**

WHEREAS, the West Virginia Infrastructure and Jobs Development Council (the “Council”) on May 6, 2009 established a Soft Cost Grant Pilot Program (the “Program”) to assist West Virginia governmental agencies which from time to time receive grant and/or other funding assistance from federal and other sources for the construction of water and wastewater projects (“Projects”) for the purpose of providing the de minimis contributions to pay the legal, accounting, real estate acquisition, and other non-construction/non-engineering costs (“Soft Costs”) associated with the Projects;

WHEREAS, on August 5, 2009, Council supplemented the Program to include American Recovery and Reinvestment Act of 2009 projects;

WHEREAS, by resolution adopted on May 4, 2011, the Council extended the Program until May 4, 2013, by resolution adopted on June 3, 2015, extended the Program until June 3, 2017, by resolution adopted on June 7, 2017, extended the Program until June 7, 2019, and by resolution adopted on June 5, 2019, extended the Program until July 1, 2021;

WHEREAS, by voice resolution the amount was increased to \$1,000,000 on July 13, 2016;

WHEREAS, the Council desires to continue the Program and thereby expediting the construction of Projects;

WHEREAS, the current balance available is \$645,710.84 and the Council desires to direct the West Virginia Water Development Authority (“WDA”) to utilize the \$645,710.84 from the Infrastructure Fund to continue the Program;

WHEREAS, the Council desires to continue to use the guidelines established for the Program; and

WHEREAS, the Council finds that the Program is in the best interests of the State and its citizens by expediting Projects and providing new and improved water and waste water services in the State;

NOW, THEREFORE, be it resolved by the Board of the West Virginia Infrastructure and Jobs Development Council as follows:

1) The Program is hereby continued and reestablished within the Infrastructure Fund and the WDA is hereby directed to utilize the \$645,710.84 from the Infrastructure Fund to continue the Program. At anytime that the balance available for the Program goes below \$300,000 then the WDA is hereby authorized to transfer funds sufficient to bring the balance available to \$500,000.

2) The Council will consider making grants through the Program utilizing the following guidelines:

A) The Program is available only to government agencies which have received written commitments for grants, Water Pollution Control Revolving Fund Loan Program funds (CWSRF), Drinking Water Treatment Revolving Loan Program funds (DWTRF), or other non-repayment funding awards for Projects.

B) Soft Costs are limited to legal, accounting, real estate and non-construction/non-engineering costs necessary for the completion of the Project and not eligible for payment by the other funding sources.

C) The governmental agency must submit a Program Application to the Council using the form provided by the Executive Director.

D) The governmental agency must certify that no other funds are available to pay the Soft Costs.

E) No grant from the Program shall exceed \$125,000.

F) The WDA shall enter into a grant agreement with the governmental agency only after the Council has approved a specific sum to be granted under the Program.

3) The Program shall expire on July 1, 2026 unless further action is taken by the Council.

4) This Resolution shall be effective immediately upon adoption.

Adopted this 7th day of July, 2021.

Secretary