



CWSRF Loan Disbursement Request Guidance

November 2023

The following guidance and [disbursement request checklist](#) is intended to aid the recipients, or their representative(s), of a Clean Water State Revolving Fund loan in preparing a disbursement request. If you have questions regarding this guidance, or the disbursement request process, please contact the CWSRF Program Coordinator at CWSRFDisbursements@des.nh.gov.

Frequency

- CWSRF loan recipients can request disbursement of funds for eligible project costs once a financial assistance agreement has been executed and approved by Governor and Council.
- A disbursement request must be submitted within six months of the execution of the loan agreement (Administrative Rule Env-Wq 507.06).
 - If the recipient is unable to submit a disbursement request within six months, they need to provide written justification to NHDES as to why a request cannot be made. NHDES will review this information and determine if the delay in expending the funds was based on an excusable delay.
 - If the reason is determined to be acceptable, NHDES will grant a waiver. Should the reason be deemed unacceptable, NHDES will pursue voiding the loan agreement.
- The recipient shall not make disbursement requests more frequently than once per calendar month (Administrative Rule Env-Wq 507.07).
- NHDES recommends submitting requests on a monthly or quarterly basis to keep requests current and manageable for all parties.

Eligibility

- Contract limits are established in engineering contracts and the Authorization to Award for construction. Engineering contract amendments and construction contract change orders are executed to adjust the contract limits. NHDES can only disburse costs up to established contract limits.
 - Costs that would bring the total disbursed to date for that classification above established contract limits must not be requested; an amendment or change order must first be executed.

- Engineering costs for projects that include construction not eligible under the CWSRF program will be prorated accordingly. The construction eligibility percentage (rounded to two decimal places) should be applied to the engineering contract limits and to the requested engineering costs by invoice.
 - For report and design engineering costs, the construction eligibility percentage is determined through the design review process.
 - For construction engineering costs, the construction eligibility percentage is established through the NHDES Authorization to Award letter and may be adjusted by change orders.
 - If the construction eligibility percentage decreases based on change orders, a subsequent adjustment to the eligibility percentage applied to engineering costs is required only if the change is greater than 5%.
 - If the construction eligibility percentage increases by any percentage an adjustment may be made with subsequent disbursement requests or with the final disbursement request.

- Recipients must establish eligibility for equipment and miscellaneous costs and receive approval from NHDES before submitting these costs as part of a disbursement request.

Processing

- The disbursement request form includes cost classifications that match the standard state engineering contract types (Report, Design, Construction). Costs for tasks covered under these contracts should be requested under the matching classification on the request form.

- Include a summary of the submitted invoices and construction payment applications with each disbursement request. The list should include invoice number, date, amount, vendor name, and show how the costs for each invoice should be disbursed across classifications in accordance with approved engineering and construction contracts.
 - A template is available from NHDES upon request.

- Request retainage from NHDES with construction costs. The retainage will then be held by the loan recipient in accordance with the construction contract until such time that it is due the contractor.