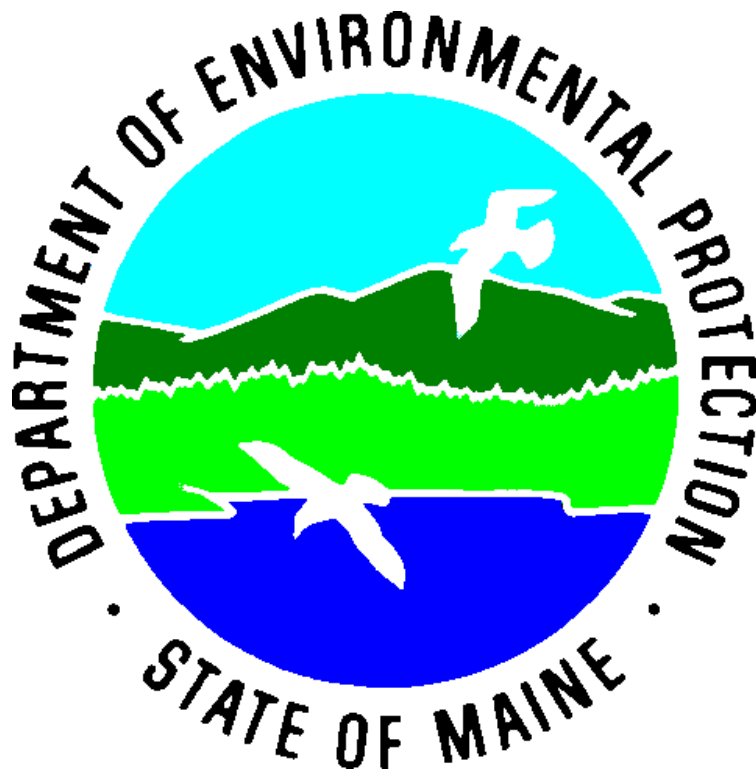


SMALL COMMUNITY GRANT PROGRAM

MUNICIPAL HANDBOOK



2024

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THE SMALL COMMUNITY GRANT PROGRAM

The Small Community Grant Program was originally enacted by the 110th Legislature to solve small but serious water pollution problems caused by improper sewage disposal in rural areas of the state. Traditional funding sources available to finance large municipally owned wastewater treatment facilities in the urban areas of the state were not suitable for small and sometimes scattered projects which were needed in rural areas. The Small Community Program can help Municipalities solve pollution problems by providing technical assistance and grant funding for individual or cluster wastewater disposal systems.

Only problems which are directly or indirectly discharging sewage to a water body of the state, or are causing a public health problem, are eligible for grant assistance. Malfunctions contained wholly within the owner's property do not qualify for assistance, nor do systems which have not malfunctioned. The program can provide funding for either municipally- or privately-owned projects, but grants are offered to and administered by the municipality (or county commissioners in unorganized territory). The maximum project size which can be funded in any single year is \$100,000. Publicly owned facilities serving multiple users whose operating costs are paid through user fees are eligible for 90% funding. For privately owned residential and commercial properties, the grant percentage is determined based on income according to a table found in the frequently asked questions. Systems serving schools, municipal buildings, non-profit organizations, and similar organizations may be funded at the same level as commercial establishments.

Grant applications will be accepted throughout the year as funding is available with initial applications due April 15th. If funding is expended only applications for emergency situations will be accepted. If more applications are received than funding is available the following priorities will be used to rank and prioritize grant applications:

1. Elimination of discharges to public drinking water supplies;
2. Elimination of discharges to shellfishing areas;
3. Elimination of discharges to other surface waters; and
4. Elimination of public nuisance conditions.

This manual is intended to provide guidance to municipalities in administering the program. It includes a summary of procedures to be followed as well as various forms to be used for bidding projects, claiming payment, etc. The use of the forms included in this book is not mandatory; however, alternative documents must be approved by the Department. Appendix G includes the Chapter 592, the Small Community Wastewater Program rules for your information. This handbook, the included forms, and further information can be found on the Maine Department of Environmental Protection Small Community Grant Program webpage at <https://www.maine.gov/dep/water/grants/scgp.html>.

Frequently Asked Questions

Topics

- What is the Small Community Grant Program?
- Who can apply for a small community grant?
- What types of wastewater disposal problems are eligible for grant assistance?
- What types of problems are not eligible for grant funding?
- What are the incomes limits for inclusion in the program?
- What costs are eligible for the grant?
- What costs are not eligible for the grant?
- How can I apply for a grant?
- My system needs to be fixed right away. Can it be funded immediately?

What is the Small Community Grant Program?

The Small Community Grant Program is a water pollution control program administered by the Department of Environmental Protection. The program may provide financial and technical assistance in solving wastewater disposal problems in unsewered areas. Grants for 25% to 100% of the replacement costs of a year-round residence, 25% to 50% of a business, and 25% to 50% of a seasonal or second home are available for qualifying systems. Property owners benefiting from the grants must have a taxable income of \$40,000 or less, although technical assistance is available to anyone. The maximum project size which can be funded in a single year is \$100,000. For municipal systems, which collect user fees the grant percentage is 90% (for further elaboration on total funding limits, see Maine Department of Environmental Protection Rules Chapter 592, Section 2). The goal of the Small Community Grant program is to improve water quality, protect public health, and open shellfishing areas which are affected by wastewater discharges.

Who Can Apply for a Small Community Grant?

A Municipality (a city or town government) may apply for a grant on behalf of residents who own property within the municipal limits. A quasi-municipal organization, such as a sewer district, may also apply for a grant for problems within the district boundaries. For unorganized territories, the county commissioners may apply for a grant. Individual property owners are not eligible to receive a grant directly, although the funding may be used to construct individual septic systems.

What Wastewater Disposal Problems are Eligible for Grant Assistance?

Discharges of untreated or partially treated sewage which flow into public drinking water supplies, shellfishing areas, or other waterbodies, or which cause a public health hazard, are eligible to receive assistance if the property owner(s) meet the income qualifications and other eligibility requirements.

What Types of Problems are Not Eligible for Grant Funding?

The program may not be used to construct septic systems for new or replacement homes, homes that have been unoccupied for the previous 12 months, to replace non-malfunctioning septic systems, or for buildings constructed or placed on the site after July 1, 1974 which did not install a system in compliance with the Maine Subsurface Wastewater Disposal Rules. **The grant program cannot pay back the cost of work done before a project is determined to be fully eligible, the grant is awarded, and all necessary program approvals are in place.**

What are the Income Limits for Inclusion in the Program?

The grant program may be used for privately owned septic systems, or small municipally owned and operated treatment facilities which collect user fees.

Privately owned systems: Annual Income and building usage determines the grant percentage:

- **Residential Properties:** this program defines Annual Income as the sum of federal taxable income of all owners. In cases where a Federal Income Tax form is not filed, the owner must complete the Statement of Non-Filing form to be reviewed by the Department.
- **Commercial or Rental Properties:** this program defines Annual Income as federal gross profit. Schools, Municipal buildings, or nonprofit organizations are funded as commercial.

Federal Taxable Income and Federal Gross Profit are both specific lines on the most current Federal Income Tax Return(s). The percentage of the eligible costs that the grant can pay is determined by the following charts:

ANNUAL INCOME (FEDERAL TAXABLE INCOME)	SINGLE FAMILY DWELLING	SEASONAL DWELLING
\$0 TO \$5,000	100%	50%
\$5,001 TO \$20,000	90%	50%
\$20,001 TO \$30,000	50%	25%
\$30,001 TO \$40,000	25%	25%
\$40,001 OR MORE	0%	0%

ANNUAL INCOME (FEDERAL GROSS PROFIT)	COMMERCIAL ESTABLISHMENT
\$0 TO \$50,000	50%
\$50,001 TO \$100,000	25%
\$100,001 OR MORE	0%

Municipal systems which collect user fees: the grant percentage is 90%.

For structures with multiple uses, the funding percentages will be prorated based on the wastewater flows generated by each use, as shown on the wastewater disposal system design.

What Costs are Eligible for the Grant?

The grant will reimburse a percentage, based on the income limitations, of the following costs:

1. Design
2. Construction of replacement systems to serve the existing use of the property
3. Administrative costs such as advertising for bids
4. External plumbing to connect to the system
5. External plumbing permits
6. Recording fee for recording program easement
7. Additional inspection fees beyond the minimum requirements of the plumbing code

What Costs are Not Eligible for the Grant?

The grant will not reimburse for the following costs:

1. Construction expenses incurred by the owner prior to Department approval of an application for funding.
2. Internal plumbing.
3. Easement or land acquisition costs.
4. Excessive restoration or other costs beyond the minimum amount necessary to comply with the Maine Subsurface Wastewater Disposal Rules.

How Can I Apply for a Grant?

Grants may not be made directly to individuals. The Municipal officials (or county commissioners in unorganized areas) apply for a grant on the individual's behalf. If the application is approved for funding, the bond issue funds for the program is approved, and funding is available, a grant will be available to the Municipality during the following construction season.

My System Needs to be Fixed Right Away. Can it be Funded Immediately?

Emergency requests received from the Municipality will be considered if funding is available. To qualify as an emergency, a problem must be determined by Department to present a severe immediate threat to public health which can't wait for future funding. Funding is typically limited for this situation and may not be available.

ADMINISTERING A SMALL COMMUNITY GRANT PROJECT

The stages of applying for a grant and the completion of eligible projects are detailed below. For a step-by-step list of these requirements, please see the Project Milestone Checklist at the end of this section. This checklist must be submitted along with the payment request after a project is completed. To recognize the municipal time and resources spent administering these projects, the checklist also counts as a **\$500 invoice** for administration costs.

How to Apply

Municipalities must submit the Grant Application and Discharge Field Report to the Department of Environmental Protection. Applications are due by **5pm on April 15th**, in order to be considered for initial funding in 2024. Applications will be considered year-round after that date as long as funding is available. The Department will contact the Municipality about two weeks after applications are due to inform them if a grant has been awarded.

The grant application must be in the format specified by the Department and contain specific information on the scope of the project(s). The problems identified will allow the Department to determine the expected environmental benefit of correcting the malfunctioning septic system.

Requests for emergency funding will be accepted for consideration after the deadline. Such requests must demonstrate that the situation is causing an immediate severe threat to a public drinking water supply, shellfish area, waterbody or public health. Contingency funds may be available for emergency applications.

Additional copies of the SCG forms can be found on the Program webpage at:

<https://www.maine.gov/dep/water/grants/scgp.html>

Application Review

The Grant Application is intended to determine initially if the Owner(s) qualify for grant funds by providing the following information:

1. Completed Applicant Information form with Municipality information – see Appendix A
2. Completed Description of Existing Conditions form for each project - see Appendix A
3. Tax Assessors Card for each proposed project
4. Copy of the most current Federal Tax Return for all owners (individuals or entities) associated with each property.
 - a. Do not include IRS attachments unless specifically requested by the Department. Black out social security and bank account numbers.
 - b. In cases where a Federal Income Tax Return is not required to be filed, the owner must provide alternative documentation to the applicant for review and approval by the Department. (See Appendix A for an example Statement of Non-filing)

Discharge Field Report and Grant Awards

The Discharge Field Report provides further documentation of the malfunctioning system and site conditions to confirm a project's eligibility, and includes the following:

1. Discharge Field Report(s) – see Appendix B
2. Copy of Tax map showing lot(s) involved, nearby lots, and roads at readable scale
3. Aerial photo (or sketch) showing layout of the building, driveway, and other pertinent features, with the approximate location of the existing septic system and failed area indicated
4. Color photos showing the following:
 - a. Close-up of the discharge / malfunctioning area from different angles,
 - b. The building, driveway, and any other nearby structures/trees/roadways, and
 - c. Path of discharge and any receiving waterbodies.

Photos taken when the ground is completely snow-covered are not acceptable documentation

*If you would like someone from the DEP to visit the site of the malfunctioning system, please contact the Small Community Grant Coordinator **Robert Hartley** to schedule a time:*

Phone: 207-881-9490

Email: Robert.W.Hartley@maine.gov

After evaluating these reports, the Department will send a letter to the Municipality offering grants available for eligible projects and indicating why any projects may be ineligible. For further information on the **Grant Application** and **Discharge Field Report**, please see Appendices A and B, respectively.

Alternative Funding Sources

Owners of malfunctioning systems who are ineligible for a grant or cannot afford their share of the costs are still required to correct the unlawful discharge in accordance with Department of Health and Human Service (DHHS) Regulations. These owners may be eligible for loan assistance from the **Local Community Action Program, Rural Development Section 504** (Home Repair Program), or **Maine State Housing Authority** (Maine Septic Repair and Replacement Program).

Grant Percentage Eligibility

If a grant is offered to fund a project, the building use and owner's income/commercial profit determine the percentage of eligible costs the grant will reimburse.

Privately-owned systems: Annual Income and building usage determines the grant percentage:

- **Residential Properties:** this program defines Annual Income as the sum of federal taxable income of all owners. In cases where a Federal Income Tax form is not filed, the owner must provide alternative documentation to the applicant for review and approval by the Department.
- **Commercial or Rental Properties:** this program defines Annual Income as federal gross profit. Schools, Municipal buildings, or nonprofit organizations are funded as commercial.

Federal Taxable Income and Federal Gross Profit are both specific lines on the most current Federal Income Tax Return(s). The following charts determine the percentage of eligible costs that the grant can pay:

ANNUAL INCOME (FEDERAL TAXABLE INCOME)	SINGLE FAMILY DWELLING	SEASONAL DWELLING
\$0 TO \$5,000	100%	50%
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\$20,001 TO \$30,000	50%	25%
\$30,001 TO \$40,000	25%	25%
\$40,001 OR MORE	0%	0%

ANNUAL INCOME (FEDERAL GROSS PROFIT)	COMMERCIAL ESTABLISHMENT
\$0 TO \$50,000	50%
\$50,001 TO \$100,000	25%
\$100,001 OR MORE	0%

Municipal systems which collect user fees or property taxes: the grant percentage is 90%.

For structures with multiple uses, the funding percentages will be prorated based on the wastewater flows generated by each use, as shown on the wastewater disposal system design.

For property owners who wish to upgrade a malfunctioning primitive system to a full-sized system, the grant percentage is reduced by one half. For more detailed definitions, refer to the Rules, Chapter 592, Section 7, Requirements of individual systems for inclusion in program, B. Eligible Systems, (3).

Collecting the Owner's Share

After receiving a grant offer, the municipality must collect the owner's portion of the estimated system cost along with a signed **OWNER'S AGREEMENT** and signed **SMALL COMMUNITY GRANT EASEMENT**. The signed Easement form must be recorded at the registry of deeds within 30 days of construction starting.

Replacement Septic System Design

The Municipality must procure the services of a site evaluator for designs less than or equal to 2,000 gallons per day or use an engineer for design greater than 2,000 gallons per day to treat and dispose of wastewater from eligible sites. The designer must prepare plans which meet DHHS and the Department standards and agree to answer questions or modify the design which results from the Department's review. A list of practicing site evaluators can be found at <https://www.maine.gov/dhhs/mecdc/environmental-health/plumb/lists.htm>. The project(s) shall not be put out to bid until a design approval letter is received from the Department.

Replacement Septic System Permit

The Municipality shall obtain Plumbing and other required permits and submit a copy of all design plans and specifications to the Department before bidding the project(s). If a State variance is needed, the plans should also be sent to the Department of Health & Human Services, Division of Environmental Health (11 State House Station, 286 Water Street, Augusta, ME 04333).

Advertising for Bids and Awarding Contract(s)

Bids shall be obtained by formal public advertisement that is widely circulated in the municipality (local newspaper or equivalent). Advertisements must be placed at least seven days before bid opening. An example advertisement is included below.

The Municipality must decide whether to bid systems together or individually and use the corresponding bid documents found in the Appendix D. These must be combined with all the documents found in Appendix E and provided to all bidders. If desired, the designer may use more stringent construction specifications.

When bids are opened, the Municipality shall send the following items to the Department:

1. A copy of the low bid.
2. A tabulation of all bids received and prices.
3. A letter from the Municipality indicating intent to award the project(s).
4. A copy of the bid advertisement from the local paper (or equivalent).

Contract(s) shall be awarded to the lowest bidder unless the Department approval is given to do otherwise. The contract(s) *should **not** be signed until an approval letter is received from the Department.*

Example Bid Advertisement:

LEGAL INVITATION TO BID

The Town of Mammoth Falls is receiving bids from contractors to furnish materials and install five septic systems in the Town of Mammoth Falls. A portion of the work will be funded by the DEP Small Community Grant Program and the work will be subject to special requirements of the DEP. Each individual septic system will be awarded by separate contract.

Bid Documents may be obtained at the Mammoth Falls Municipal building from 8:30 am to 4:30 pm Monday to Friday. A pre-bid meeting to inspect the site(s) will be conducted on June 10, 2023.

Bidders must have a minimum 3 years' experience in septic system installation and provide 5 references related to septic system installations. (Or pre-qualify at the Town of Mammoth Falls prior to bidding). Qualified Disadvantaged Business Enterprises are encouraged to bid.

Sealed bids marked "Town of Mammoth Falls Septic System Bids" must be received at the municipal building by 4:00 pm, June 19, 2017, at which time they will be opened. The Town reserves the right to accept or reject any or all bids. For more information please call 123-4567.

Paying the Contractor

The Municipality will sign a contract with the lowest responsible bidder(s) using the contract agreement form. The Municipality must pay 90% of the contract amount to the contractor when the work is substantially completed (operational). The remaining 10% is paid after grass is growing and the site is restored. Please note that a copy of the **Local Plumbing Inspector Septic System Inspection Checklist** (in Appendix F) should be completed by the Municipality at the time of Substantial Completion. The Municipality must obtain a **Payment Affidavit** (in Appendix E) from the contractor indicating that the costs of all material, labor and equipment have been paid in full.

Change Orders

Changes in the work which result in a change of price, change of completion date, or any significant change in the design must be documented by a change order signed by the Municipality and Contractor. Change orders shall provide a detailed breakdown of the requested change. Change orders which involve an increase in cost shall be approved by Department in advance of the work being done, to ensure that the cost will be eligible for grant reimbursement and to ensure availability of funds. A change order form can be found in Appendix E.

Licensed Plumbing Inspections

It is the responsibility of the Municipality to ensure that the system is inspected at the required construction stages. The Department will perform an inspection whenever possible, but it is up to the Municipality to make sure the system has been installed properly. The Municipality's licensed Plumbing Inspector must complete the Local Plumbing Inspector Septic System Inspection Checklist and provide photos of the completed system. The cost of one additional inspection, in excess of the minimum required under the plumbing code, will be eligible for grant reimbursement. (Invoice or paid receipt required).

Requesting Payment

All items must be sent to Department before final payment is made to the Municipality. When submitting a payment request, include copies of the following (Remember all costs to be covered by this program must be documented in attachments to the payment request):

1. Payment request form (Appendix F)
2. LPI Septic System Inspection Checklist (Appendix F) including photo(s)
3. Project Milestone Checklist (Appendix F)
4. Contract Agreement signed and filled in, plus approved change orders (Appendix E)
5. Site evaluator bill(s)
6. Plumbing permit sticker showing permit fee (HHE-200 page 1)
7. Other reimbursable bills (test pit, back hoe work)
8. Inspection costs (inspector's invoice),
9. Administration, advertising, etc. (Copies of invoices, bills)

The following costs are not eligible for grant reimbursement and must be paid 100% by the Municipality or property owner:

1. Costs incurred prior to the date of the Department grant award approval.
2. Costs incurred prior to the Department eligibility, design or contract award approvals.
3. Internal plumbing, except where done to avoid the use of a pump when the cost of a pump would be greater than the cost of the re-plumbing.
4. Construction Permits or license fees, except for external plumbing permits.
5. Costs associated with easements, right-of-way's or land acquisition, except for Small Community Grant Easement recording costs.
6. Site restoration in excess of the requirements of the Subsurface Wastewater Disposal Rules.

Document Retention

Documents pertaining to each project shall be maintained by the Municipality and available for the Department review for three (3) years following construction completion. These documents include, but are not limited to the following:

1. Verification of income for all property owner(s)
2. Bid documents
3. Agreements
4. Construction, plumbing permits or license fees
5. Easements
6. Inspection and the Department approvals

PROJECT MILESTONE CHECKLIST

The State understands that administering the Small Community Grant (SCG) program takes time and resources that could otherwise be spent elsewhere. When submitting this Project Milestone Checklist, the State acknowledges this document as an invoice for administration costs incurred. The Municipality or Municipal representative is hereby granted **\$500.00** for the administration of this project located at Map / Lot #: _____.

Property Owner(s): _____

Address: _____

Steps	Description of Project Milestone (Shaded items are completed by the DEP)	Date Completed
1. Application and Grant Award		
A	Application and Discharge Field Report submitted to DEP	
B	Received letter from DEP identifying eligibility and grant award	
C	Received email with Grant Service Contract , digitally sign	
D	Owner's Agreement signed and down payment (if applicable) received	
E	Owner signed the SCG Easement , but DO NOT RECORD it yet	
F	Service Contract approved, notified by DEP to move onto Design	
2. Design		
A	Site Evaluator hired, and Replacement Septic System design completed	
B	Copy of design sent to Owner and the DEP	
C	Variance approval obtained by DHHS Health Engineering (if needed)	
D	Received letter from DEP approving septic design and informing you to proceed to bidding	
E	Local plumbing permit issued	
F	All applicable permits and easements received (road opening, permit by rule, easements for property not owned by Owner, etc.)	
3. Bidding		
A	Bid packages assembled	
B	Advertised for Bids - for at least 7 days	
C	Bids opened and evaluated	
D	Bid summary, low bid proposal, and intent to award sent to DEP	
E	Received letter from DEP approving contract award	

4. Construction		
A	Additional share of funding collected from Owner (if applicable)	
B	Construction contract agreement signed, and contractor's insurance certificates received	
C	Construction started	
D	SCG Easement recorded in the Registry of Deeds (within 30 days of construction starting)	
E	Change Order request submitted to DEP for approval (if applicable)	
F	Received letter from DEP to incorporate change order(s) (if applicable)	
G	LPI Inspection of system before covered (including photos) completed	
H	Construction substantially completed	
I	LPI Septic System Inspection Checklist completed	
5. Payment Request		
A	Completed Payment Request Form and submitted to DEP (include the Project Milestone Checklist and LPI Septic System Inspection Checklist)	
B	Received reimbursement from DEP	
C	Substantial completion (90%) payment made to contractor	
D	Site of construction has been visited to confirm the system is operating properly, no known problems or uncompleted punch list items and site restoration is completed including the establishment of grass	
E	Final Payment Affidavit received, and final payment made to contractor	
F	Balancing Project Budget - refund property owner if overpaid	

SIGNATURE OF LPI / MUNICIPAL OFFICIAL

Print Name: _____

Title: _____

Signature: _____

Date: _____

APPENDIX A: GRANT APPLICATION

Instructions:

- **Completing the Application**

Forms:

- **Applicant Information**
- **Description of Existing Conditions**
- **Statement of Non-Filing**

INSTRUCTIONS:

Completing the Application

The purpose of this application is to identify if the property owner(s) of the malfunctioning septic system(s) may be eligible for grant funding. The Applicant Information sheet should list all proposed projects, and the Description of Existing Conditions form should be completed for each project. Applications will be evaluated to determine the eligibility of the owners and malfunctioning systems. Municipalities will then receive a letter from the Department either explaining why a project is not eligible or requesting a Discharge Field Report for each eligible project. This report confirms the malfunctioning system's eligibility. Projects will be ranked based on the environmental priority rating and number of problems documented. The amount awarded may differ from the requested amount depending on funding availability.

Applicant Information

Please provide all the information requested, including the Municipality's phone number and email address if available. This information is needed in order to offer a grant to the Municipality, if eligible.

Proposed Project List

Please provide a list of all the malfunctioning septic systems by listing the property owner(s), street address, Tax Map number and Lot number.

Estimated Total Grant Funds Requested

The amount requested is an estimate and should be based on the project description. Although not necessary, if contractor estimates are available, please provide these.

Signature of Municipal Official

The name, title and signature must be included on the application and on the Description of Existing Conditions for each proposed project.

Application: Description of Existing Conditions

This application form must be completed for each proposed project. The form must be signed by a municipal official and be submitted with the following attachments:

1. Copy of Tax Assessors Card for each potential project
2. Copies of most current Federal Tax Return for all property owners or entities. Do not include IRS attachments unless specifically requested by the Department. Black out Social security and Bank account numbers.
 - Owners who do not file a Federal Tax Return must complete a Statement of Non-Filing or equivalent for review and approval by the Department.

Project Priority Category

The form must also indicate the proposed project's priority category, which is used to determine the environmental benefit of the project. The priority type is determined by the predominant pollution problem caused by the malfunctioning system. Grants are awarded based on priority type, documentation of specific problems, and the number of requests received during the year. The four priority categories are defined as:

1. **Public drinking water supply protection** projects are designated as priority 1, the highest priority. The project must eliminate a source of contamination to a public surface or subsurface drinking water system as defined by 22 M.R.S.A. §601. This priority type will be assigned to a project when a potential public health hazard exists as a result of the contamination, and the contamination does or will require alternative sources of water or additional water treatment if the project is not carried out.
2. **Shellfishery protection** projects are designated as priority 2, the second highest priority. The project must eliminate a source of contamination to a shellfishing area. This priority type will be assigned to a project that will eliminate sources of waste responsible for a shellfish area closure or eliminate sources of pollution in order to maintain an open status, according to the standards of the Department of Marine Resources.
3. **Water quality protection** projects are designated as priority 3, the third highest priority. The project must eliminate a source of inadequately treated sewage to waters of the State. This priority type will be assigned to a project that will eliminate direct discharges of untreated or partially treated wastewater that degrade the quality of waters of the State.
4. **Public nuisance condition elimination** projects are designated as priority 4, the fourth highest priority. The project must eliminate a hazard to public health resulting from the improper disposal of sewage. Public nuisance conditions may exist even if there is no discharge of sewage to a waterbody. This priority type will be assigned to a project that eliminates a nuisance or health hazard to the public caused by a malfunctioning or inadequate wastewater treatment and disposal system. A malfunction contained wholly within an owner's property is not normally considered to be a public nuisance.

APPLICANT INFORMATION

Municipality: _____

County: _____

Municipal Contact: _____

Telephone: _____

Mailing Address: _____

Email: _____

UEI Number: _____

Please also include a Grant Contact person, who would digitally sign the Service Contract to accept a grant offered to the Municipality (if different from Municipal Contact listed above):

Grant Contact: _____

Email: _____

Title: _____

Telephone: _____

PROPOSED PROJECT LIST:

	Property Owner(s)	Street Address	Tax Map #	Lot #
1				
2				
3				
4				
5				

ESTIMATED TOTAL GRANT FUNDS REQUESTED: _____

SIGNATURE OF MUNICIPAL OFFICIAL

Print Name: _____

Title: _____

Signature: _____

Date: _____

APPLICATION: DESCRIPTION OF EXISTING CONDITIONS

(Must be Filled Out for EACH Project)

Municipality: _____

Tax Map and Lot #: _____

Property Owner(s): _____

Property Address: _____

PROJECT PRIORITY CATEGORY:

- | | |
|--|---|
| ☐ 1. Public Drinking Water | ☐ 2. Shellfishing Protection |
| ☐ 3. Water Quality Protection | ☐ 4. Public Nuisance Elimination |

Please describe how the existing septic system is malfunctioning (check all that apply):

- ☐ Ponding water or ground soggy
- ☐ Surfacing wastewater remaining on the property
- ☐ Surfacing wastewater leaving property
- ☐ Odors
- ☐ Untreated wastewater entering drainageway or waterbody
- ☐ Other: _____

Eligibility Requirements	Yes	No
<i>Is there a waterbody near the location of the wastewater discharge?</i>		
<i>Has this structure been vacant for the 12 months prior to grant request?</i>		
<i>Has this structure been purchased in the past 6 months?</i>		
<i>Is this a year-round residence?</i>		
<i>Is this a seasonal residence?</i>		
<i>Is this a commercial establishment?</i>		
<i>Is this a rental property? If yes, the property is: ☐ residential ☐ commercial</i>		

Please also include with the application submission following:

☐ Copy of Tax Assessors Card

☐ Copy of one of the following for all property owners:

- Federal Tax return(s)
- Notarized Statement of Non-filing (template available)

SIGNATURE OF MUNICIPAL OFFICIAL

Print Name: _____

Title: _____

Signature: _____

Date: _____

STATEMENT OF NON-FILING

Suggested format of documentation for Social Security Recipients who are not required to file a Federal Income Tax Return:

TOWN LETTERHEAD

Date _____

I _____, owner of property at _____ (street address) in _____ (Town/City), Map # _____, Lot # _____, attest to the fact that I was not required to file a federal income tax return for the year of _____ and Social Security was my only source of income during this tax year.

The (Town/City) of _____, confirms to the best of the knowledge of town officials, that the owner of the property at _____ (street address) was not required to file a federal income tax return for the year of _____ and Social Security was their only source of income during this tax year.

Signature of Owner

Signature of Town Official

Print Name

Print Name

Signature and stamp of State of Maine Notary Public

APPENDIX B:

DISCHARGE FIELD REPORT AND GRANT AWARDS

Instructions:

- Completing the Discharge Field Report

Forms:

- Discharge Field Report

INSTRUCTIONS:

Completing the Discharge Field Report

The Town shall complete and submit a Discharge Field Report and all required attachments for **EACH** proposed project with the initial application. The eligibility of the malfunctioning system is evaluated with the information provided by the field report. Grants are awarded based on priority type assigned, documentation of specific problems, and the number of requests received during the year. The amount awarded may differ from the requested amount.

The Discharge Field Report can be submitted in the spring following the initial application (if the Town is applying in winter and has not already inspected the system without snow).

Project Location

Please provide all the information requested, including the Municipality name, Project Tax Map and Lot number, and the name of the affected waterbody or Public Drinking Water source. This information is needed in order to offer a grant to the Municipality.

Property Owner(s) Information

This section should contain the name of the property owner(s), the address, and the willingness of the owner(s) to sign the Owner's Agreement and Small Community Grant Easement.

Project Information

The remaining sections contain informational questions pertaining to Property Information, Drinking Water Supply, Waste Disposal and Waste Disposal Inspection for the evaluating the environmental need of the proposed project(s).

Property Attachments

The following documentation must be attached to each Discharge Field Report:

1. Copy of Tax map showing lot(s) involved, surrounding lots, and roads at readable scale.
2. Aerial photo (or sketch) showing layout of the building, driveway, and other pertinent features, with the approximate location of the existing septic system and failed area indicated.
3. Color photos showing the following:
 - a. Close-up of the discharge / malfunctioning area from different angles,
 - b. The building, driveway, and any other nearby structures/trees/roadways, and
 - c. Path of discharge and any receiving waterbodies.

Photos taken when the ground is completely covered in snow are not acceptable documentation of the malfunctioning system

Additional Property Information

The following additional information, if available, should be included but is not mandatory to further justify proposed projects:

1. A USGS map of the property and surrounding area
2. Information prepared by a site evaluator or an engineer such as memos, planning reports, or designs for a replacement system
3. Reports or memos describing the problem/malfunction as prepared by septic haulers, or any other involved persons with pertinent expertise (such as an electrician, pump mechanic, Municipality LPI or CEO).
4. Reports or memos describing the problems as prepared by the Department or any other state agency such as the Department of Marine Resources (DMR) or DHHS.

Signature of Municipal Official

The name, title and signature must be included on the Discharge Field Report.

Additional copies of the Discharge Field Report form and other forms can be found on the Maine Department of Environmental Protection Small Community Grant Program webpage at <https://www.maine.gov/dep/water/grants/scgp.html>.

DISCHARGE FIELD REPORT

(Must be Filled Out for EACH Project)

PROJECT LOCATION

Municipality: _____ Tax Map & Lot # _____

Waterbody (or Public Drinking Water source) affected: _____

PROPERTY OWNER(S) INFORMATION

Name(s): _____

Physical Address for project: _____

Year-round Mailing Address (if different) _____

Name of Owner(s) Being Interviewed: _____

If this project were selected for funding, is the Owner willing to sign the Owner's Agreement before beginning the project and the Small Community Grant Easement before beginning construction?

If this project were selected for funding, but qualified for less than 100%, does the Owner have the ability to pay their share? _____

PROPERTY INFORMATION

Does a building presently exist that is connected to the malfunctioning septic system? _____

Type of building (Single family, multifamily, business, etc.) _____

Is the building mixed use? If so, describe _____

Is the building presently vacant? If so, for how long? _____

Describe any additional building(s) contributing wastewater flow _____

Describe any rental situations and/or apartments _____

Is the building "owner-occupied"? _____

Is the building occupied year-round or seasonally? _____

If the building is year-round, was it recently converted from seasonal? _____

Has the building recently undergone any significant upgrades or additions? If so, describe _____

Total Number of Occupants or Employees (per building) _____

Total Number of Bedrooms, (per building) _____

Tax Map & Lot # _____

DRINKING WATER SUPPLY INFORMATION

Type of Water Supply _____ Is it pressurized? _____

Are there modern plumbing fixtures? _____

WASTE DISPOSAL INFORMATION

Type of Wastewater System Existing: _____

Year installed _____ Wastewater flow rate (if known) _____

Is the system entirely located on the Owner's lot? _____

Type & Volume of septic tank _____

Is there a separate grey water discharge or disposal area? If so, describe _____

Is ALL wastewater (black and grey) from the structure(s) connected to the disposal system? _____

Frequency of septic tank pumping _____

Describe the malfunction and other known recent problems _____

WASTE DISPOSAL SYSTEM INSPECTION

The following was observed (by Municipality official signing this form) during a visual inspection of the system on _____ (fill in date):

Please describe how the existing septic system is malfunctioning:

- ☐ No apparent problem
- ☐ Ponding water or ground soggy
- ☐ Surfacing wastewater remaining on the property
- ☐ Surfacing wastewater leaving property
- ☐ Odors
- ☐ Vegetation indicators (such as green lush grass)
- ☐ Untreated wastewater entering drainageway or waterbody
- ☐ Other: _____

The distance between the malfunctioning area and adjacent water body (or public drinking water source) is estimated to be: _____.

The path of travel of the leaking wastewater to the water body (or public drinking water source) is described as follows: _____

Tax Map & Lot # _____

PROPERTY ATTACHMENTS

Please also include the following attachments with the Discharge Field Report:

- ☐ Copy of Tax map showing lot(s) involved, adjacent and nearby lots, and roads at readable scale
- ☐ Aerial photo (or sketch) showing layout of the building, driveway, and other pertinent features with the approximate location of the existing septic system and failed area indicated.
- ☐ Color photos showing the following:
 - a. Close-up of the discharge / malfunctioning area from different angles,
 - b. The building, driveway, and any other nearby structures/trees/roadways, and
 - c. Path of discharge and any receiving waterbodies.

***Photos taken when the ground is completely covered in snow are
not acceptable documentation of the malfunctioning system***

*If you would like someone from the DEP to visit the site of the malfunctioning system, please contact the Small Community Grant Coordinator **Robert Hartley** to schedule a time:*

Phone: 207-881-9490

Email: Robert.W.Hartley@maine.gov

SIGNATURE OF LPI / MUNICIPAL OFFICIAL

Print Name: _____

Title: _____

Signature: _____

Date: _____

APPENDIX C: PROCEEDING FROM THE GRANT OFFER

Instructions:

- Owner's Agreement & Easement
- Replacement Septic System Design

Forms:

- Owner's Agreement
- Small Community Grant Easement
- HHE-200 example

INSTRUCTIONS:

Owner's Forms & Replacement System Design

Owner's Agreement & Easement

After receiving a grant offer, the municipality must collect the owner's portion of the estimated system cost and have the owner(s) sign the **OWNER'S AGREEMENT** and **SMALL COMMUNITY GRANT EASEMENT**.

The signed **Easement** form must be recorded at the registry of deeds within 30 days of construction starting.

Replacement Septic System Design

Once the municipality has accepted the grant and completed the Owner's Agreement and Small Community Grant Easement, a replacement septic system needs to be designed. For design flows less than or equal to 2,000 gallons per day, a site evaluator can design the system; an engineer is needed to design systems for larger flows. The replacement system can be a conventional septic tank and stone bed leach field, or an approved alternative technology. The design is usually completed on the HHE-200 form, with any additional instructions or specifications attached.

A current list of practicing Site Evaluators, as well as approved alternative septic system technologies, can be found at:

<https://www.maine.gov/dhhs/mecdc/environmental-health/plumb/lists.htm> .

Please be sure to check the DHHS website for the most current version of the HHE-200:

<https://www.maine.gov/dhhs/mecdc/environmental-health/plumb/forms.htm> .

The completed design should be submitted to the Department for review of its compliance with the *Maine Subsurface Wastewater Disposal Rules*. After the Department approves the design, the municipality can proceed to bidding, which is detailed in Appendix D.

OWNER'S AGREEMENT

I _____ (Owner) and _____ (Co-Owner if applicable) am aware the State of Maine Department of Environmental Protection has a program for funding the installation of wastewater treatment and disposal systems to resolve the pollution caused by sewage discharges, and I would like to participate in this program. The property that I own is a:

- | | | | | | |
|--|-----------------|-------------------------------|------------------------------|------------------------------|------------------------------|
| ☐ Year-round home | state funded at | ☐ 100% | ☐ 90% | ☐ 50% | ☐ 25% |
| ☐ Seasonal home | state funded at | ☐ 50% | ☐ 25% | | |
| ☐ Commercial building | state funded at | ☐ 50% | ☐ 25% | | |
| ☐ Rental property | state funded at | ☐ 50% | ☐ 25% | | |
| ☐ Other | state funded at | _____ | | | |

I understand that I will be responsible for paying the remaining share of the cost of the project, including design, permitting, administration, and construction of the system (as approved by the Municipality's representative). I agree to obtain and pay for any other ineligible services that are needed to complete the project. I understand the Municipality administers the project and signs contracts with a System Designer and Contractor.

I have filed the most current Federal Income Tax form or other proof of income with the Municipality and certify that my income, in conjunction with other owner(s), meets the limitation of the program.

Before any design begins, I will pay \$_____ to the Municipality. After construction is complete, my exact share will be determined. If my share is more than the above amount then I will pay the additional amount and if it is less, my remaining money will be returned to me.

I agree to sign an easement with the Municipality for installation and maintenance which will be recorded at the Registry of Deeds. The easement requires that a portion of the grant be returned to the Municipality if my property is sold within four years.

I agree to obtain, execute and pay for appropriate easements or rights-of-way with other property owners, where my wastewater treatment and disposal system, or any part thereof, is required to be placed on property not directly owned by me.

I understand that it will be necessary to investigate soil conditions with a backhoe to determine what kind of a system my location requires. I understand that the Municipality's engineer or site evaluator will choose the system. I agree to examine the design prepared for my property and notify the Municipality immediately if it does not meet with my approval.

I understand that it is my responsibility to ensure ALL internal plumbing (including grey wastewater) is connected to the wastewater treatment and disposal system.

I understand that the contractor will provide a one year warrantee period for defective equipment or workmanship and I will report any operational difficulties experienced during that time to the Municipality in writing. I also understand that there is no guarantee by the Department concerning the operation of the system. I will be responsible for all maintenance necessary on my system including, but not limited to, pumping the septic tank every 3 years and I understand that future replacement or repairs to the system will be my responsibility.

Considering all the above, I hereby agree to the conditions set forth, and authorize the Municipality to proceed, as soon as possible, with the arrangements for having my property studied and installation of a proper sewerage system completed.

Owner (Print): _____

Co-Owner(s) (Print): _____

Signature: _____

Signature: _____

Date: _____

Date: _____

SMALL COMMUNITY GRANT EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, That _____
in the County of _____ and State of _____, in consideration of one dollar (\$1.00) and other valuable consideration paid by _____ a municipal corporation duly organized and existing under the laws of the State of Maine, in the County of _____, the receipt whereof is hereby acknowledged, do hereby grant to the said Municipality, its successors and assigns, an easement and right to enter upon property of the Grantor situated in the Town of _____ and to thereon construct and install a waste water treatment system on said property, with all fixtures and appurtenances necessary thereto, and to do such things on the property as are necessary for any of the above purposes. Upon completion of the installation, the Municipality is granted the right to enter the property and inspect the waste water treatment system. Should such inspection reveal that the system is not being properly maintained or is malfunctioning, and the system is not remedied within a reasonable established timeframe after the property owner has been given due notice, the Municipality shall take whatever action is required to properly maintain the system or correct the malfunction and shall assess a lien against the property until the cost of the corrective action is recovered. Said property being the same property described in Book _____ Page _____ of the _____ County Registry of Deeds.

Entry onto the Grantor(s) property for the purposes as aforesaid shall be only after such reasonable notice to the Grantor(s), his/their heirs or assigns, as is practicable, and ingress and egress is limited to the area so designated on said plan. Reserving to the Grantor(s), his/their heirs, successors and assigns, the use and enjoyment of said property for such purposes as will not interfere with this easement and right, nor the function and use of the said line or system.

The work done under this easement was partially funded by a grant from the Department of Environmental Protection. If the property is sold within four years of the date that this easement is recorded at the Registry of Deeds, the Grantor(s) shall repay a proportionate share of the grant as follows:

<u>Term</u>	<u>Percent of Repayment</u>
First Year	100%
Second Year	75%
Third Year	50%
Fourth Year	25%

Repayment shall be made to the municipality which originally received the grant.

This easement will terminate ten (10) years from the date that this easement is recorded at the Registry of Deeds.

IN WITNESS WHEREOF, the said _____ have
hereunto set _____ hand and _____ seal this _____ day of ____ in the
year of our Lord two thousand and _____.

Signed, Sealed, and Delivered:

In the Presence of:

STATE OF _____

_____, _____, 20 _____

Personally appeared the above named _____

and acknowledged the foregoing instrument to be _____ free act and deed.

Before me,

Justice of the Peace/Notary Public

HHE-200 Septic System Design Form

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION				Maine Dept. Health & Human Services Div. Environmental Health, 118HS (207) 287-2070 Fax: (207) 287-4172	
PROPERTY LOCATION			>> CAUTION: LPI APPROVAL REQUIRED <<		
City, Town, or Plantation			Town/City	Permit # _____	
Street or Road			Date Permit Issued - ___/___/___	Fee: \$ _____	Double Fee Charged []
Subdivision, Lot #			L.P.I. # _____		
OWNER/APPLICANT INFORMATION			CAUTION: INSPECTION REQUIRED		
Name (last, first, MI)		Owner Applicant	Fee: \$ _____ state or in fee \$ _____ Locally adopted fee Copy: [] Owner [] Town [] State		
Mailing Address of Owner/Applicant		The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.			
Daytime Tel. #		Municipal Tax Map # _____ Lot # _____			
OWNER OR APPLICANT STATEMENT I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.			I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.		
Signature of Owner or Applicant _____ Date _____			Local Plumbing Inspector Signature _____ (1st) date approved _____ _____ (2nd) date approved _____		
PERMIT INFORMATION					
TYPE OF APPLICATION 1. First Time System 2. Replacement System Type replaced: _____ Year installed: _____ 3. Expanded System a. <25% Expansion b. ≥25% Expansion 4. Experimental System 5. Seasonal Conversion		THIS APPLICATION REQUIRES 1. No Rule Variance 2. First Time System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 3. Replacement System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 4. Minimum Lot Size Variance 5. Seasonal Conversion Permit		DISPOSAL SYSTEM COMPONENTS 1. Complete Non-engineered System 2. Primitive System (graywater & alt. toilet) 3. Alternative Toilet, specify: _____ 4. Non-engineered Treatment Tank (only) 5. Holding Tank, _____ gallons 6. Non-engineered Disposal Field (only) 7. Separated Laundry System 8. Complete Engineered System (2000 gpd or more) 9. Engineered Treatment Tank (only) 10. Engineered Disposal Field (only) 11. Pre-treatment, specify: _____ 12. Miscellaneous Components	
SIZE OF PROPERTY SQ. FT. ACRES		DISPOSAL SYSTEM TO SERVE 1. Single Family Dwelling Unit, No. of Bedrooms: _____ 2. Multiple Family Dwelling, No. of Units: _____ 3. Other: _____ (specify) Current Use Seasonal Year Round Undeveloped		TYPE OF WATER SUPPLY 1. Drilled Well 2. Dug Well 3. Private 4. Public 5. Other	
SHORELAND ZONING Yes No					
DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)					
TREATMENT TANK 1. Concrete a. Regular b. Low Profile 2. Plastic 3. Other: _____ CAPACITY: _____ GAL.		DISPOSAL FIELD TYPE & SIZE 1. Stone Bed 2. Stone Trench 3. Proprietary Device a. cluster array c. Linear b. regular load d. H-20 load 4. Other: _____ SIZE: _____ sq. ft. lin. ft.		GARBAGE DISPOSAL UNIT 1. No 2. Yes 3. Maybe If Yes or Maybe, specify one below: a. multi-compartment tank b. _____ tanks in series c. increase in tank capacity d. Filter on Tank Outlet	
SOIL DATA & DESIGN CLASS PROFILE CONDITION _____ at Observation Hole # _____ Depth _____" of Most Limiting Soil Factor		DISPOSAL FIELD SIZING 1. Medium---2.6 sq. ft. / gpd 2. Medium---Large 3.3 sq. ft. / gpd 3. Large---4.1 sq. ft. / gpd 4. Extra Large---5.0 sq. ft. / gpd		EFFLUENT/EJECTOR PUMP 1. Not Required 2. May Be Required 3. Required Specify only for engineered systems: DOSE: _____ gallons	
				DESIGN FLOW _____ gallons per day BASED ON: 1. Table 4A (dwelling unit(s)) 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities 3. Section 4G (meter readings) ATTACH WATER METER DATA	
				LATITUDE AND LONGITUDE at center of disposal area Lat. _____ d _____ m _____ s Lon. _____ d _____ m _____ s if g.p.s., state margin of error: _____	
SITE EVALUATOR STATEMENT					
I certify that on _____ (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).					
Site Evaluator Signature		SE #		Date	
Site Evaluator Name Printed		Telephone Number		E-mail Address	
Note : Changes to or deviations from the design should be confirmed with the Site Evaluator.					

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION		Maine Dept. Health & Human Services Division of Environmental Health (207) 287-5672 Fax: (207) 287-3165																																																																					
Town, City, Plantation	Street, Road, Subdivision	Owner's Name																																																																					
SITE PLAN Scale 1" = _____ ft. or as shown		SITE LOCATION PLAN (map from Maine Atlas recommended)																																																																					
SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)																																																																							
Observation Hole _____ ☐ Test Pit ☐ Boring _____ " Depth of Organic Horizon Above Mineral Soil		Observation Hole _____ ☐ Test Pit ☐ Boring _____ " Depth of Organic Horizon Above Mineral Soil																																																																					
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SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION		Maine Dept. Health & Human Services Division of Environmental Health (207) 287-5672 Fax: (207) 287-3165
Town, City, Plantation	Street, Road, Subdivision	Owner's Name
SUBSURFACE WASTEWATER DISPOSAL PLAN		SCALE: 1" = _____ FT.
FILL REQUIREMENTS	CONSTRUCTION ELEVATIONS	ELEVATION REFERENCE POINT
Depth of Fill (Upslope) _____	Finished Grade Elevation _____	Location & Description: _____
	Top of Distribution Pipe or Proprietary Device _____	Reference Elevation: _____
Depth of Fill (Downslope) _____	Bottom of Disposal Area _____	
DISPOSAL AREA CROSS SECTION		Scale Horizontal 1" = _____ ft. Vertical 1" = _____ ft.
_____ Site Evaluator Signature	_____ SE #	_____ Date

APPENDIX D: BID PACKAGE AND CONTRACT AWARD

Instructions

- Assembling the Bid Package

Forms for **Award Based on Total Bid:**

- Instructions to Bidders
- Bid Proposal Form

Forms for **Award Based on Individual Bids:**

- Instructions to Bidders
- Bid Proposal Form

INSTRUCTIONS:

Assembling the Bid Package

BID DOCUMENTS. The provided small community grant bid documents are recommended, though alternate bid documents may be used if approved by the Department project representative.

BASIS OF CONTRACT AWARD. Contracts may be awarded either separately for each individual septic system, or as a single contract to build all the systems. The basis of award must be decided before bidding and made clear to the bidders, as separate **Instructions to Bidders** and **Bid Proposal** documents are used for each method. These forms are included in this section, below.

BID PACKAGE. Once a basis of award is chosen, the bid package can be assembled to include the following documents from the indicated locations:

Appendix D:

- Instructions for Bidders & Bid Proposal form (*matching the chosen basis of award*)

Appendix E:

- Contract Agreement
- General Conditions of the Contract
- Construction Specifications for Septic Systems
- Change Order
- Final Payment Affidavit

Provided by Designer:

- Design plans (inserted by the municipality after Department approval; usually an HHE-200 form, including variances. Any variances must be approved by the Local Plumbing Inspector and, if applicable, the State)
- Any additional specifications included by the designer

A copy of the entire package should be provided to each prospective bidder. **However, the contract agreement form is only to be signed by the Town and the selected contractor(s).**

CONTENTS OF THE CONTRACT. The construction contract between the municipality and the contractor will consist of all contents of the Bid Package after the Agreement is signed.

Additional copies of these and other forms can be found on the Maine Department of Environmental Protection Small Community Grant Program webpage at:

<https://www.maine.gov/dep/water/grants/scgp.html>

CONTRACT AWARD BASED ON TOTAL BID

AWARD BASED ON TOTAL BID

INSTRUCTIONS TO BIDDERS

1. All bids must be submitted on the attached bid proposal form prior to the bid opening date indicated. It is the responsibility of the prospective bidder to inspect the construction site and examine the plans and HHE 200 forms, technical specifications, and contract general conditions to ensure that he fully understands the construction requirements. Any questions regarding the work should be directed to the Municipality at least twenty-four hours before bid opening.
2. The contract is based on the total of several individual systems listed in the bid proposal. A single contract will be signed with the bidder whose aggregate price for all the work to be performed is lowest. The Municipality will be the sole judge of the acceptability of the bids, and may reject any and all bids if it is judged to be in the Municipality's best interest. The contractor may be required to produce evidence of his ability to adequately perform the work before bids are awarded.
3. The bid prices must be for complete, operational and finished septic systems as indicated in the bid documents including any piping, fittings, valves, fill, grading, insulation, site restoration, electrical or other work not directly shown but which can be reasonably inferred by an examination of the site and construction documents to produce a finished product. Qualified bids will not be accepted. Any errors or omissions detected by prospective bidders should be brought to the attention of the Municipality at least twenty-four hours before bid opening.
4. This project is partially or wholly funded by the Maine Department of Environmental Protection, and is subject to special requirements as described in the bid documents.
5. Pump stations shown on the plans must be included in the bid price. If the need for a pump station is not clear on the plans, then the system bid shall include a price for the complete system without a pump station and a separate price for the pump station if it is found to be needed.
6. The selected contractor will be required to show proof of insurance per the General Conditions of the Contract
7. Contents of the construction contract include:
 - Instructions to Bidders
 - Bid Proposal
 - Contract Agreement
 - General Conditions
 - Specifications for Septic System
 - Design Plans (usually the HHE – 200)
 - Change Orders
 - Contractor's Final Payment Affidavit

AWARD BASED ON TOTAL BID

BID PROPOSAL

THIS BID IS SUBMITTED TO: _____(MUNICIPALITY)
_____(ADDRESS)

Having carefully examined the Instructions to Bidders, Bid Proposal form, Contract Agreement, General Conditions, Plans and Specifications, Contractors Final Payment Affidavit form and Change Order form prepared by: _____(Site Evaluator/Engineer) as well as the premises and conditions affecting the Work, we the undersigned propose to furnish all Labor, Equipment, and Materials necessary for and reasonably incidental to the construction and completion of this Proposal for:

NAME OF SYSTEM (An individual price for each system must be shown)	LUMP SUM PRICE per SEPTIC SYSTEM (include Pump Station cost if check box on HHE 200 indicates "REQUIRED")	ADDITIONAL PUMP STATION COST (if check box on HHE 200 indicates "MAY BE REQUIRED")
	\$	\$
	\$	\$
	\$	\$
	\$	\$
TOTAL BID FOR ALL SYSTEMS (Basis of Award)	\$	

TOTAL BID FOR ALL SYSTEMS WRITTEN IN WORDS:

The Contract(s) will be awarded to the lowest acceptable TOTAL BID FOR ALL SYSTEMS. Pump stations indicated on the plans ("REQUIRED" is checked) must be included in the LUMP SUM PRICE. If the need for a pump station is not clear on the plans, ("MAY BE REQUIRED" is checked), the LUMP SUM PRICE shall include a price for the complete system without a pump station and a separate price for the pump station in case it is found to be needed. A separate pump station price which is deemed to be unreasonable may be reason to reject the bid.

The undersigned agrees, if awarded the Contract, to complete the Work within _____calendar days after execution of the agreement. **(FILLED IN BY MUNICIPALITY)**

The undersigned agrees, if this Proposal is accepted, to sign a Contract and deliver it, along with the Affidavits of all insurance within seven (7) calendar days after the date of notification of such acceptance.

PRINTED NAME: _____

SIGNATURE: _____DATE: _____

COMPANY NAME: _____TEL: _____

ADDRESS: _____

CONTRACT AWARD BASED ON INDIVIDUAL BIDS

AWARD BASED ON INDIVIDUAL BIDS

INSTRUCTIONS TO BIDDERS

1. All bids must be submitted on the attached bid proposal form prior to the bid opening date indicated. It is the responsibility of the prospective bidder to inspect the construction site and examine the plans and HHE 200 forms, technical specifications, and contract general conditions to ensure that he fully understands the construction requirements. Any questions regarding the work should be directed to the Municipality at least twenty-four hours before bid opening.
2. The contract is based on individual systems. Contracts will be signed individually with each bidder whose individual septic system price is lowest. The Municipality will be the sole judge of the acceptability of the bids, and may reject any and all bids if it is judged to be in the Municipality's best interest. The contractor may be required to produce evidence of his ability to adequately perform the work before bids are awarded.
3. The bid prices must be for complete, operational and finished septic systems as indicated in the bid documents including any piping, fittings, valves, fill, grading, insulation, site restoration, electrical or other work not directly shown but which can be reasonably inferred by an examination of the site and construction documents to produce a finished product. Qualified bids will not be accepted. Any errors or omissions detected by prospective bidders should be brought to the attention of the Municipality at least twenty-four hours before bid opening.
4. This project is partially or wholly funded by the Maine Department of Environmental Protection, and is subject to special requirements as described in the bid documents.
5. Pump Stations shown on the plans must be included in the bid price. If the need for a Pump Station is not clear on the plans, then the system is to be bid without a Pump Station with a separate price for the Pump Station if it is found to be needed.
6. The selected contractor will be required to show proof of insurance per the General Conditions of the Contract
7. Contents of the construction contract include:
 - Instructions to Bidders
 - Bid Proposal
 - Contract Agreement
 - General Conditions
 - Specifications for Septic System
 - Design Plans (usually the HHE – 200)
 - Change Orders
 - Contractor's Final Payment Affidavit

AWARD BASED ON INDIVIDUAL BIDS

BID PROPOSAL

THIS BID IS SUBMITTED TO: _____(MUNICIPALITY)

_____(ADDRESS)

Having carefully examined the Instructions to Bidders, Bid Proposal, Contract Agreement, General Conditions, Plans and Specifications, Contractors Final Payment Affidavit form and Change Order form prepared by: _____(Site Evaluator/Engineer) as well as the premises and conditions affecting the Work, we the undersigned propose to furnish all Labor, Equipment, and Materials necessary for and reasonably incidental to the construction and completion of this Proposal for:

NAME OF SYSTEM (An individual price for each system must be shown)	LUMP SUM PRICE per SEPTIC SYSTEM (include Pump Station cost if check box on HHE 200 indicates "REQUIRED")	ADDITIONAL PUMP STATION COST (if check box on HHE 200 indicates "MAY BE REQUIRED")
	\$	\$
	\$	\$
	\$	\$
	\$	\$

The Contract(s) will be awarded to the lowest acceptable LUMP SUM PRICE for each individual septic system. Pump stations indicated on the plans ("REQUIRED" is checked) must be included in the LUMP SUM PRICE. If the need for a pump station is not clear on the plans, ("MAY BE REQUIRED" is checked), the LUMP SUM PRICE shall include a price for the complete system without a pump station and a separate price for the pump station in case it is found to be needed. A separate pump station price which is deemed to be unreasonable may be reason to reject the bid.

The undersigned agrees, if awarded the Contract, to complete the Work within _____calendar days after execution of the agreement. **(FILLED IN BY MUNICIPALITY)**

The undersigned agrees, if this Proposal is accepted, to sign a Contract and deliver it, along with the Affidavits of all insurance within seven (7) calendar days after the date of notification of such acceptance.

PRINTED NAME: _____

SIGNATURE: _____DATE: _____

COMPANY NAME: _____TEL: _____

ADDRESS: _____

APPENDIX E: STANDARD BID PACKAGE DOCUMENTS

Instructions

- Other Bid Package Contents

Forms:

- Contract Agreement
- General Conditions of the Contract
- Construction Specifications for Septic Systems
- Change Order
- Contractor's Final Payment Affidavit

INSTRUCTIONS:

Other Bid Package Contents

The following documents must be included in every bid package:

Contract Agreement

The contract is to be signed by the authorized municipal official and the contractor after the bids are opened and department has approved the contract award in writing.

General Conditions of the Contract

The conditions of the contract agreement between the municipality and the contractor.

Construction Specifications for Septic Systems

These specifications apply to all replacement septic systems installed under the SCG Program, though the designer may choose more stringent specifications to include with the design.

Change Order

This change order form should be used for changes that must be made to the contract after signing, such as changes in price, contract time, contents of the design, etc. Any change orders must be approved by the Department before being put into effect.

Contractor's Final Payment Affidavit

After the final payment is made to the contractor, this final payment affidavit must be completed by the contractor and notarized. The final payment to the contractor should be made once grass is growing and the site is fully restored (often 30 days after substantial completion, or in the spring if substantial completion is in late fall).

CONTRACT AGREEMENT

THIS AGREEMENT made the _____ day of _____ 20____ by and between
 _____ hereinafter called the Municipality, and
 _____ hereinafter called the Contractor.

WITNESS,

That the Municipality and the Contractor for the consideration hereinafter named agree as follows:

ARTICLE 1. SCOPE OF WORK

The Contractor shall furnish all of the Materials and perform all the Work shown on the Plans and described in the Specifications entitled:_____

Prepared by _____, referred to in these Contract Documents as the Engineer, and shall do everything required by this Agreement, the General Conditions, the Specifications, and the Drawings.

ARTICLE 2. TIME OF COMPLETION

The work shall be completed according to the following schedule:

Substantial Completion: _____

Final Completion: _____

ARTICLE 3. THE CONTRACT SUM

The Municipality shall pay the Contractor for the performance of the Contract, subject to additions and deductions provided by approved Change Orders in current funds as follows:

(In Words)	\$ (In Figures)
1. The first step is to identify the problem.	1. The first step is to identify the problem.
2. The second step is to analyze the data.	2. The second step is to analyze the data.
3. The third step is to develop a solution.	3. The third step is to develop a solution.
4. The fourth step is to implement the solution.	4. The fourth step is to implement the solution.
5. The fifth step is to evaluate the results.	5. The fifth step is to evaluate the results.

ARTICLE 4. PAYMENTS

The Municipality shall make payment of 90% of the contract amount after the project is substantially completed. That is, all structures installed and operating and all disturbed areas loamed and seeded.

Final payment shall be due after final completion. That is, the Work is completed and operational in accordance with the Contract Documents including a catch of grass.

ARTICLE 5. THE CONTRACT DOCUMENTS

The General Conditions of the Contract, Instructions to Bidders, the Bid Proposal, the Specifications, and the Drawings, Contractors Final Payment Affidavit and Change Orders together with this Agreement, form the Contract.

The Municipality and the Contractor hereby agree to the full performance of the covenants herein.

IN WITNESS, WHEREOF the parties hereto have executed this Agreement in the day and year first above written.

BY: _____ PRINT: _____ WITNESS: _____
 Authorized Municipality Official (Sign) Authorized Municipality Official (Print) (Sign)

BY: _____ PRINT: _____ WITNESS: _____
Contractor (Sign) Contractor (Print) (Sign)

GENERAL CONDITIONS OF THE CONTRACT

ARTICLE I: Definitions

Wherever the following terms are used in the contract documents, the intent and meaning shall be as follows:

Contract Documents - The documents which are comprised of the Bid Proposal, Instruction for Bidders, Contract Agreement, General Conditions of the Contract, Construction Plans and Specifications prepared by a Registered Professional Engineer or Licensed Site Evaluator (including HHE 200 forms), and General Construction Specifications for Septic Systems. They are also known as the contract.

DEP - The Maine Department of Environmental Protection

Engineer -- The designer of the replacement system.

Final Completion - The condition in which the work is complete and operational, covered, graded, and satisfactory grass cover is established.

HHE - 200 Form - A subsurface wastewater disposal system application form, provided by the Maine Department of Health & Human Services, exhibiting a complete subsurface wastewater disposal system design.

LPI - Local Plumbing Inspector representing the Municipality.

Municipality - The Municipality, acting through its authorized representative.

Project - The entire work to be performed under the contract.

Substantial Completion - The condition in which the work is complete to a point where all structures are installed and operational, the system can be utilized for its intended purpose, and all disturbed areas are loamed and seeded.

ARTICLE 2: Intent and Correlation of the Contract Documents

It is the intent of the contract documents to describe a complete project. The contractor shall furnish all Labor, Material, Tools, Transportation, Insurance, and Incidentals which are reasonably required to construct and complete the project. The plans or HHE-200 forms, including all revisions, Instruction to Bidders, the General Conditions of the Contract, Executed Contract, General Construction Specifications for Septic Systems, and completed Bid proposal comprise the Contract documents.

Should the contractor discover any error, omission, or inconsistency in the contract documents which would require additional costs above that shown in the bid, he shall notify the Municipality at least twenty-four hours before the bids are opened. Should errors, omissions, inconsistencies, or differing site conditions be discovered after contract award, then the Municipality shall be promptly notified and affected work suspended until a resolution is found. In the event that there is a conflict between requirements of the plans and specifications, the more stringent requirement will be followed.

ARTICLE 3: Permits, Laws, and Regulations

The Municipality will apply for and obtain the Plumbing Permit, DEP permits, including Permit By Rule Notification and highway opening permits. The Municipality will secure the Small Community Grant Easement for the project. The Municipality will also ensure all other easements and right-of ways are obtained for work to be completed on property not directly owned by the subject Property Owner. The Contractor is responsible for obtaining any other permits.

It is the responsibility of the Contractor to comply with all laws, regulations, and permit conditions in constructing the project, including safety regulations. If the Contractor discovers that the contract documents conflict with any laws, regulations, or permit conditions, he shall promptly notify the Municipality. In addition, if the contractor's proposed construction methods require it, it shall be his responsibility to obtain any variances or permit modifications required.

ARTICLE 4: Inspection of the Work

The contractor shall permit access to the site and work to representatives of the Municipality and DEP at all times. Before covering the work, the contractor shall give timely notice to the Municipality and LPI that the work is ready for inspection. The work shall not be covered until it has been inspected and certified on the HHE 200 form by the LPI and/or designated inspector of the Municipality. Should the work be covered without approval of the Municipality and LPI, it must be uncovered for inspection at the contractor's expense.

If the LPI or Municipality determines that the work is not in compliance with the contract documents, then it must be corrected to the satisfaction of the LPI, Municipality, and DEP at the contractor's expense.

ARTICLE 5: Changes in the Work

The Municipality may request changes, increases, or decreases of the work without invalidating the original agreement. Any changes involving a change in the contract price or time must be authorized by a change order executed by the Contractor, Municipality, and DEP.

If the Contractor, in performing the work, discovers conditions which could not reasonably have been anticipated from inspection of the site and examination of the contract documents, including the need for ledge removal by blasting, he shall notify the Municipality promptly, and a change order shall be negotiated before proceeding further.

ARTICLE 6: Contract Termination

Should the Contractor fail to complete the work within the time frame specified in the contract and any time extension change orders, the Municipality may, after giving written notice to the Contractor, terminate the contract and arrange for the work to be completed by others. The cost of any uncompleted work will be deducted from the contract amount.

ARTICLE 7: Payments

The Municipality shall pay 90% of the contract cost when the work is satisfactorily and substantially complete. The Municipality may request that the contractor provide evidence that all payrolls, suppliers, and subcontractors have been paid before 90% payment is made. Final payment shall be made at final completion of the finished project provided that the contractor has submitted the Contractor's Final Payment Affidavit. The making and acceptance of final

payment shall constitute a waiver of all claims by the Municipality except those arising from unsettled liens, faulty work or claims under the one year warranty, and all claims by the Contractor, except those previously made and unsettled.

For contracts exceeding one month, monthly progress payments may be requested.

ARTICLE 8: Contractors Insurance

The Contractor shall maintain in force for the duration of the project, Public Liability and Property Damage insurance that shall protect the Contractor from claims and damages arising from operation under this Contract.

The minimum amount of coverage shall be as is customary for the work to be performed and shall provide complete indemnification of the Municipality for the Contractor's work. In addition, Workman's Compensation shall be maintained by the Contractor if required by Maine Law.

The contractor is required to provide insurance certificates.

ARTICLE 9: Warranty

The Contractor shall warranty all work performed under the contract against defects in workmanship and materials for a period of one year from the date of final completion. During the warrantee period, he shall promptly repair all such defects at no cost to the Municipality.

ARTICLE 10: Disputes

Disputes between the Municipality and Contractor which cannot be resolved by the DEP shall be settled by litigation.

CONSTRUCTION SPECIFICATIONS FOR SEPTIC SYSTEMS

GENERAL

All Work shown on the plans or specified must be included in the bid proposal. These specifications are general in nature and, in several instances, refer to the latest edition of the Maine Subsurface Wastewater Disposal Rules. If there is a conflict between the requirements of the plans and these written specifications, the most stringent requirement shall apply. The Maine Department of Environmental Protection will be the sole judge of the applicable requirements in the case of conflicting specifications.

No deviations from the Drawings will be allowed without written consent of the Maine Department of Environmental Protection, the local Plumbing Inspector, and the Municipality.

DESCRIPTION

1. Furnish and install at the location and elevation shown on the plans, a septic system including septic tank, disposal field, miscellaneous piping and appurtenant structures as shown on the plans.

MATERIALS

1. Septic Tank: Septic tanks shall be of the size and type indicated on the HHE-200 form or construction drawings and shall meet the requirements of the Maine Subsurface Wastewater Disposal Rules. The minimum septic tank volume shall be 1,000 gallons.
2. Building Sewer & Drain Pipe: The building sewer and drain piping material shall be in accordance with the Maine Subsurface Wastewater Disposal Rules.
3. Proprietary Disposal Devices: For septic systems utilizing proprietary devices only approved manufacturers' products may be used. A list of approved manufacturers can be found in the Maine Subsurface Wastewater Disposal Rules.
4. Fill Material: Fill material shall be coarse sand to gravelly coarse sand and as specified in the latest edition of the Maine Subsurface Wastewater Disposal Rules or as shown on the plans.
5. 1½" Stone: The stone used for disposal fields must be clean, uniform in size and free of fines, dust, ashes or clay. The 1½ inch stone shall be 100% passing a 2-inch sieve, greater than 95% passing a 1 1/2-inch sieve, less than 40% passing a ¾ inch sieve, less than 5% passing the 4 mesh sieve and less than 2% passing a 200 mesh sieve.
6. Loam shall be topsoil taken from the excavation if available and/or topsoil of a similar texture from another source. It shall be free from gravel, roots, clods, or stones larger than 2 inches.
7. Lime shall be standard grade dolomitic limestone.
8. Fertilizer shall be standard commercial 10-10-10 mixture.
9. Seed shall contain a mixture of annual and perennial grass seeds such that a fast and lasting catch of grass is obtained.

10. Mulch material shall consist of hay or straw reasonably free from noxious weeds.
11. Insulation shall be extruded, closed-cell (minimum 2" thick, width of trench) rigid polystyrene or as specified on the drawings.

EXECUTION

1. The disposal bed shall be constructed in accordance with the plans and the Maine Subsurface Wastewater Disposal Rules. All portions of the work shall conform to applicable state and local codes and ordinances. Where required to comply with codes or ordinances, the Contractor shall hire appropriate licensed professionals to perform portions of the work. The contract price shall include all such incidental costs.
2. Construction shall not be performed when the soil moisture content is above the plastic limit. Soil moisture shall be tested by rolling a lump of soil with the fingers to form a wire. If a wire 1/8 inch in diameter can be formed which does not crumble when handled, the soil moisture is too high. Upon encountering excessive soil moisture conditions, the Contractor shall immediately notify the Municipality and shall not proceed further with construction.
3. Excavation shall be made to lines and grades necessary to allow for construction of the septic system including interconnecting piping.
4. Excavated material not required for backfill shall be removed from the site and disposed of in a lawful manner at the Contractor's expense.
5. The entire fill area shall be scarified by rototilling or raking with excavator bucket teeth prior to placing fill material or stone. On sites requiring fill, a transition layer shall be constructed by rototilling 4-6 inches of fill material into the original soil underneath the entire fill area. Wheeled vehicles must not be used on scarified soil.
6. The crushed stone shall be dumped beside the bed and placed in the disposal field to minimize the transfer of fines to the disposal field. Piping shall be installed to the lines and grades shown on the plans, covered with hay or fabric, and backfilled with suitable fill material.
7. Proprietary devices shall be installed as per the manufacturer's specifications.
8. The septic tank is to be placed on a working pad of 6 inches or more of bank-run gravel, compacted by tamping with excavator bucket.
9. The Contractor shall replace the building drain from a point just outside the building wall to the septic tank. The materials shall be in accordance with the Maine Subsurface Wastewater Disposal Rules.
10. Where internal plumbing changes are required, the Contractor shall extend the building drain from the septic tank through the foundation wall at the proper elevation and provide a clean-out connection.
11. All pipe connections and pipe penetrations shall be water tight.
12. Pressure and gravity lines shall be protected against freezing.

13. Any pressure and gravity lines installed in driveway areas or other areas with heavy loading, shall be protected from the direct loading.
14. Septic tanks to be abandoned shall be pumped out and filled with soil or removed.
15. Spread loam uniformly on all disturbed areas, except driveways, with a minimum depth of 4 (four) inches. The loam shall be hand-raked to achieve a smooth surface blending into the undisturbed areas.
16. Fertilizer shall be applied at the rate of 14 pounds of fertilizer per 1000 square feet. It shall be thoroughly mixed with the soil to a depth of 1 inch.
17. The seed mixture shall be sown at the rate of 3 pounds per 1000 square feet. Mulch shall be applied to all seeded areas the same day as seeding.
18. A Natural Resources Protection Act (NRPA) Permit is not required for the abandonment of wastewater treatment facilities or the installation of a subsurface wastewater disposal system. Construction or abandonment activities, however, shall comply with the following conditions in areas within the jurisdiction of the NRPA:
 - a. The Contractor shall be responsible for the prevention of erosion. Further, erosion of soil or fill material from disturbed areas into the 25 foot buffer and the resource must be prevented. All disturbed earth surfaces are to be stabilized in the shortest practical time. Properly installed erosion control measures, such as staked hay bales and silt fence, are required to be in place before the project begins. These erosion control measures must remain in place, functioning as intended, until the project area is permanently stabilized with mulch and seed. Temporary storage of excavated material is to be in a manner that will minimize erosion. NOTE: Erosion and sedimentation control measures shall comply with the most current "Maine Erosion and Sediment Control BMPs", prepared by the Maine DEP.
 - b. No power equipment shall be operated in the water except that equipment operating on shore may, when necessary, reach into the water with a bucket or similar device.
 - c. All heavy equipment which must travel and work on wetland vegetation shall travel on mats or platforms in order to protect the vegetation.
 - d. Except for installation of an outfall line, no excavation, filling or construction shall take place on my coastal wetland, freshwater wetland, great pond, river, stream or brook.
19. The Contractor shall remove and replace or repair all roads, driveways, pavement and other items damaged by his construction activities to their original condition, at a minimum.
20. The Contractor shall minimize earth, debris or other construction debris that is tracked or spilled on public or private streets. The Contractor shall be responsible for the daily cleanup of construction material from public or private streets.

21. A residential Pump Station, if required, shall be constructed under the following specification:

- a. Furnish and install in the location and to the elevations shown on the plans, and in compliance with the Maine Subsurface Wastewater Disposal Rules, a concrete Pump Station containing a submersible effluent pump.
- b. The Residential Pump Station shall be the equal to American Concrete 4' x 4' pump tank, minimum 300 gallons working capacity (Item No. 1712). Alternatively, a combined septic tank and residential Pump Station may be used (American Concrete or equal). Provide the necessary riser sections to extend 4" above grade. An approved joint sealer shall be used at all riser section joints. All joints and pipe connections must be watertight. **The outlet of the septic tank shall be equipped with an effluent filter equivalent to Zabel A1800 Series.**
- c. The effluent pump shall be a 0.5 hp minimum heavy duty submersible pump designed to pump septic tank effluent and shall be equivalent to or exceed a Barnes EHV412. Actual pump sizing and capacity shall be determined based on site conditions. The pump motor shall be operated on 115 volts.
- d. The pump shall be installed as shown on the plans. The control switch shall be a **non-mercury** type float switch.
- e. The junction box shall be water-tight Nema 4X.
- f. The Contractor shall be responsible for all electrical work connecting the junction box to the electrical system in the house. **The pump and alarm shall be connected to two separate circuits in the house electrical system.** All such work will be done by a licensed electrician and in conformance with the latest edition of the National Electrical Code.
- g. Underground cable shall be rated for direct burial and shall pass through the Pump Station wall with proper connections. All wiring from house to Pump Station shall be in conduit.
- h. An alarm system consisting of high water **non-mercury** float switch and alarm light mounted inside the house shall be installed for all Pump Stations. Controls containing mercury are not to be used.

BASIS OF PAYMENT

1. Payment for construction of the septic system shall be as a lump sum including finish site work. A Residential Pump Station, if shown on the plans, shall be included under the lump sum bid price. If a Pump Station is not shown on the plans and must be added to the Contract by Change Order, then the price will be as stated in the bid proposal or negotiated before installation.
2. Ledge excavation will be measured by the Engineer for payment on the basis of cubic yards removed. Payment will be negotiated as a Change Order.

CHANGE ORDER

CHANGE ORDER NO. _____

OWNER OF SYSTEM: _____

Property Owner's Name

LOCATION OF SYSTEM: _____

Municipality

CONTRACTOR: _____

Name of Company

The following changes are hereby made to the CONTRACT DOCUMENTS:

(attach additional sheets if necessary)

Justification:

(attach additional sheets if necessary)

ORIGINAL CONTRACT PRICE: \$ _____

TOTAL INCREASE/DECREASE

FROM PREVIOUS CHANGE ORDERS: \$ _____

CHECK ONE:

☐ INCREASE

☐ DECREASE

THE CONTRACT PRICE DUE TO THIS CHANGE

ORDER WILL BE INCREASED/DECREASED BY: \$ _____

CHECK ONE:

☐ INCREASE

☐ DECREASE

NEW CONTRACT PRICE: \$ _____

The present date for completion of the work is: _____

The **new date** for completion of the work is: _____

To be effective this CHANGE ORDER must be approved by the Maine Department of Environmental Protection prior to its physical execution.

The undersigned agree to the terms of the CHANGE ORDER:

Authorized Municipality Official (Sign)

Authorized Municipality Official (Print)

(Date)

Contractor (Sign)

Contractor (Print)

(Date)

CONTRACTOR'S FINAL PAYMENT AFFIDAVIT

STATE of MAINE, COUNTY of _____

Before me, the undersigned authority, personally appeared _____ {name of affiant}, who, after being first duly sworn, according to law deposes and affirms that the cost of all labor, materials, and equipment and outstanding claims and indebtedness of whatever nature arising out of the performance of the contract between _____ {name of Municipality} and _____ {name of contractor's business} of _____ {town/city}, dated for the construction of _____ {name of owner} Septic System Replacement Project have been paid in full.

Signed, sealed, and delivered this _____ day of _____,

_____ {Name of affiant}

Signature

Title

Name of Contractor's business

Sworn to and subscribed before me this _____ day of _____,

_____ {Name of Notary Public}

Signature

My Commission expires: _____

APPENDIX F:

COMPLETING CONSTRUCTION & REQUESTING PAYMENT

Instructions

- Inspections
- Payment Requests

Forms:

- LPI Septic System Inspection Checklist
- Project Milestone Checklist
- Payment Request Form

INSTRUCTIONS

Inspections

A Licensed Plumbing Inspector must inspect the system in accordance with the Maine Subsurface Wastewater Disposal Rules. The LPI must complete the Septic System Inspection Checklist and take at least one photograph of the installed system. The grant can reimburse costs for up to one more inspection than the minimum required under the plumbing code (invoice or paid receipt required).

Payment Requests

Once a project has reached substantial completion, the **Payment Request** can be submitted. A payment request can include multiple projects or be submitted separately for each project. If one project is completed before others, costs already incurred for the other projects (design, bid advertisement, etc.) can be included on the request for the completed project.

Please ensure that each project is listed on a separate line, and any combined costs are split among the associated projects.

If a project's eligible costs exceed the Town's awarded grant, and additional funding is available, the grant may be increased with an amendment. In this case the payment is often split, to allow a partial payment before the added funds become available for reimbursement.

The payment request form must be submitted with completed copies of the following:

1. LPI Septic System Inspection Checklist – including photo(s)
2. Project Milestone Checklist
3. Contract Agreement signed and filled in, plus approved change orders (see Appendix E)
4. Site evaluator bill(s)
5. Plumbing permit sticker showing permit fee (HHE-200 page 1, Appendix C)
6. Other reimbursable bills (test pit, back hoe work)
7. Inspection costs (inspector's invoice),
8. Administration, advertising, etc. (Copies of invoices, bills)

Costs that are ineligible for reimbursement include:

1. Costs incurred prior to the date of the Department grant award approval.
2. Costs incurred prior to the Department eligibility, design or contract award approvals.
3. Internal plumbing, except where done to avoid the use of a pump when the cost of a pump would be greater than the cost of the re-plumbing.
4. Construction Permits or license fees, except for external plumbing permits.
5. Costs associated with easements, right-of-way's or land acquisition, except for Small Community Grant Easement recording costs.
6. Site restoration beyond that required by the Subsurface Wastewater Disposal Rules

LOCAL PLUMBING INSPECTOR SEPTIC SYSTEM INSPECTION CHECKLIST

PROPERTY OWNER	
MUNICIPALITY	DATE
CONTRACTOR	
DESIGNER	
INSPECTOR	
ITEM INSPECTED	INITIALS
Silt fence and other EROSION CONTROL DEVICES have been properly installed.	
The ORIGINAL SOIL beneath the system was dry and properly prepared by scarifying.	
The SEPTIC TANK is of the size and materials shown on the plans.	
Tank size = _____ gal _____	
The DISPOSAL AREA DIMENSIONS and LOCATION are as shown on the plans.	
The DISPOSAL AREA is at the proper elevation and level within 1 inch per 100 feet.	
The FILL is of the specified texture.	
The FILL OVER THE SYSTEM is crowned at a 3% slope to facilitate drainage.	
The FILL EXTENSIONS are no steeper than a 4:1 slope unless otherwise called for.	
The CRUSHED STONE was the proper size, cleanliness, and depth.	
The proper NUMBER OF CHAMBERS or PROPRIETARY DISPOSAL DEVICES were used. # of Devices: _____ Supplier: _____	
The PUMP STATION has been installed properly, wired according to the specifications, including two separate circuits for the pump & alarm, and has been tested.	
The SEPTIC TANK and RISERS have been properly sealed.	
All DISTURBED AREAS have been loamed, seeded, and mulched.	
PROPER SITE DRAINAGE has been provided to divert surface drainage around the leach field, tank, and pump station.	
The BUILDING has been properly connected to the new system, including all internal plumbing (i.e. all household fixtures and all grey wastewater fixtures).	
I certify that I have inspected the septic system described above and that, unless noted, have found that each item I inspected was installed in accordance with the Contract Documents.	
_____ Signature of Inspector & License #	_____ Date

A copy of this inspection form and including one photographs of the system before covering system, must be sent to the Maine Department of Environmental Protection, Division of Water Quality Management, State House Station 17, Augusta, ME

PROJECT MILESTONE CHECKLIST

The State understands that administering the Small Community Grant (SCG) program takes time and resources that could otherwise be spent elsewhere. When submitting this Project Milestone Checklist, the State acknowledges this document as an invoice for administration costs incurred. The Municipality or Municipal representative is hereby granted **\$500.00** for the administration of this project located at Map / Lot #: _____.

Property Owner(s): _____

Address: _____

Steps	Description of Project Milestone (Shaded items are completed by the DEP)	Date Completed
1. Application and Grant Award		
A	Application and Discharge Field Report submitted to DEP	
B	Received letter from DEP identifying eligibility and grant award	
C	Received email with Grant Service Contract , digitally sign	
D	Owner's Agreement signed and down payment (if applicable) received	
E	Owner signed the SCG Easement , but DO NOT RECORD it yet	
F	Service Contract approved, notified by DEP to move onto Design	
2. Design		
A	Site Evaluator hired, and Replacement Septic System design completed	
B	Copy of design sent to Owner and the DEP	
C	Variance approval obtained by DHHS Health Engineering (if needed)	
D	Received letter from DEP approving septic design and informing you to proceed to bidding	
E	Local plumbing permit issued	
F	All applicable permits and easements received (road opening, permit by rule, easements for property not owned by Owner, etc.)	
3. Bidding		
A	Bid packages assembled	
B	Advertised for Bids - for at least 7 days	
C	Bids opened and evaluated	
D	Bid summary, low bid proposal, and intent to award sent to DEP	
E	Received letter from DEP approving contract award	

4. Construction		
A	Additional share of funding collected from Owner (if applicable)	
B	Construction contract agreement signed, and contractor's insurance certificates received	
C	Construction started	
D	SCG Easement recorded in the Registry of Deeds (within 30 days of construction starting)	
E	Change Order request submitted to DEP for approval (if applicable)	
F	Received letter from DEP to incorporate change order(s) (if applicable)	
G	LPI Inspection of system before covered (including photos) completed	
H	Construction substantially completed	
I	LPI Septic System Inspection Checklist completed	
5. Payment Request		
A	Completed Payment Request Form and submitted to DEP (include the Project Milestone Checklist and LPI Septic System Inspection Checklist)	
B	Received reimbursement from DEP	
C	Substantial completion (90%) payment made to contractor	
D	Site of construction has been visited to confirm the system is operating properly, no known problems or uncompleted punch list items and site restoration is completed including the establishment of grass	
E	Final Payment Affidavit received, and final payment made to contractor	
F	Balancing Project Budget - refund property owner if overpaid	

SIGNATURE OF LPI / MUNICIPAL OFFICIAL

Print Name: _____

Title: _____

Signature: _____

Date: _____

SCG PAYMENT REQUEST FORM



PAYMENT #:

NAME OF MUNICIPAL OFFICIAL:

TOWN / MUNICIPAL GRANTEE ADDRESS:

MUNICIPAL SIGNATURE:	DATE:
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Name of Property Owner	PROJECT COSTS					SUBTOTAL COSTS	GRANT %	GRANT AMOUNT
	Administration	Design	Construction	Inspection	Other			
	(A)	(B)	(C)	(D)	(E)			
Administration Fee *	\$400.00	(multiply by number of projects for total)					100%	
						TOTAL PAYMENT		
						DEP ONLY - PAYMENT LIMITED TO LESS THAN GRANT AMOUNT		
						REMAINING AMOUNT TO BE PAID AFTER GRANT AMENDMENT		

INSTRUCTIONS:	
1. Each row includes all the costs associated with each individual system.	7. Column E is for approved change orders and other applicable costs
2. Columns A-E are the total eligible costs as shown on the invoice.	8. Column F is the sum of A to E. (The \$400 administration fee can be applied to each completed system)
3. Column A contains eligible administrative costs (such as ad for bids), in addition to the \$400 admin fee. These costs may be distributed between systems, if multiple projects. A calculation sheet should be included showing how the distribution was figured.	9. Column G is the grant percentage factor: 90%.....0.9, 50%.....0.5, 25%.....0.25
4. Column B contains design cost documented by site evaluators or engineers invoice.	10. Column H is the product of F x G for each property owner.
5. Column C contains construction costs based on the executed contract.	11. Total Payment requested is the sum of the Grant Amount for all property owners.
6. Column D is inspection costs which the Department has previously agreed to pay. Only one inspection in excess of the Maine Subsurface Disposal Rules is grant eligible. Inspections paid for must be documented by photos and a completed inspection form.	12. Copies of invoices for all costs are to be attached to this form.
DEP OFFICE USE SIGNATURES ONLY:	
SCG Project Mgr.:	Date:
SCG Grant Coordinator:	Date:

APPENDIX G: PROGRAM RULES

Chapter 592: The Small Community Wastewater Program

SUMMARY: The Maine Small Community Program funds sewage treatment facilities for municipalities, quasi-municipalities and unorganized townships with water quality problems in freshwater lakes, streams, and/or salt water; or public health hazards. Funding may also include privately owned sanitary facilities within such communities. The requirements for and extent of such funding by the State are defined in this section.

1. **Definitions.** The terms below have the following meanings.
 - A. **Applicant.** An "applicant" is a municipality, quasi-municipal organization, or county commissioners acting on behalf of an unorganized township or plantation.
 - B. **Commercial establishment.** A "commercial establishment" is a building used for purposes of trade or commerce, or used to conduct operations of a non-profit, governmental, or educational organization, or for renting for a total of more than six months in any year.
 - C. **Individual system.** An "individual system" is a privately owned and operated sanitary treatment facility serving one or more single family dwellings, seasonal dwellings, or commercial establishments.
 - D. **Municipal system.** A "municipal system" is a municipally or quasi-municipally owned sanitary facility, the operation of which is funded by the collection of user fees or property taxes.
 - E. **Non-profit organization.** A "non-profit organization" is an organization with non-profit status under the U.S. Internal Revenue Code.
 - F. **Seasonal dwelling.** A "seasonal dwelling" is a dwelling that is not defined as a "commercial establishment" or "single family dwelling".
 - G. **Single family dwelling.** A "single family dwelling" is the dwelling that is continuously occupied by the owner for 6 months or more in any calendar year and is the legal residence of the owner for State and Federal income tax purposes.
2. **Funding.** The department uses funds from bond issues for implementation of this program. Grants may be awarded to pay up to 90% of the costs of municipal systems. Grants involving individual systems may be awarded for funding from 25% to 100% of the cost of the project, depending upon the use of the property and the owner's annual income. The maximum construction cost of any project receiving funding through this program is \$100,000. An application may include several projects, and may be funded in any one year up to a maximum of \$90,000.

3. Application for funds

- A. **Contents of an application.** An application is a written submission from the governing body of the municipality, or from the county commissioners on behalf of an unorganized township or plantation. The application must explain the water pollution problem, the number and type of sanitary systems involved (single family dwellings, seasonal dwellings, commercial establishments, etc.) and the benefit expected to the State from elimination of the pollution sources as well as all other information required by this rule. Use of monies obtained under the Small Community Grants Program is subject to the conditions stated in this chapter.
- B. **Deadline.** An application may be submitted at any time. Only applications received before January 31 of the year will be eligible for award in the same calendar year except as described in section 3(C) below.
- C. **Emergency request.** After the deadline for applications an application may be submitted as an emergency request for award during the same calendar year. An emergency request must demonstrate that the project will eliminate an immediate, severe threat to a public drinking water supply, an open shellfishing area, or to public health and will be considered on a case-by- case basis subject to the availability of funds. An emergency request is subject to all other requirements of the program.

4. Review of applications

- A. **Project priorities.** Applications are prioritized by the severity of the pollution problem caused by the existing condition. Four types of pollution problems are used to prioritize applications, and each application is assigned a priority type based on the predominant category of problems shown in the application. Grants are awarded on the basis of priority type assigned, documentation of specific problems, and the number of requests received during the year.
 - (1) Public drinking water supply protection projects are designated as priority 1, the highest priority. The project must eliminate a source of contamination to a public surface or subsurface drinking water system as defined by 22 M.R.S.A. §601. This priority type will be assigned to a project when a potential public health hazard exists as a result of the contamination, and the contamination does or will require alternative sources of water or additional water treatment if the project is not carried out.
 - (2) Shellfishery protection projects are designated as priority 2, the second highest priority. The project must eliminate a source of contamination to a shellfishing area. This priority type will be assigned to a project that will eliminate sources of waste responsible for a shellfish area closure or eliminate sources of pollution in order to maintain an open status, according to the standards of the Department of Marine Resources.

- (3) Water protection projects are designated as priority 3, the third highest priority. The project must eliminate a source of inadequately treated sewage to waters of the State. This priority type will be assigned to a project that will eliminate direct discharges of untreated or partially treated wastewater that degrade the quality of waters of the State.
- (4) Public nuisance condition elimination projects are designated as priority 4, the fourth highest priority. The project must eliminate a hazard to public health resulting from the improper disposal of sewage. Public nuisance conditions may exist even if there is no discharge of sewage to a waterbody. This priority type will be assigned to a project that eliminates a nuisance or health hazard to the public caused by a malfunctioning or inadequate wastewater treatment and disposal system. A malfunction contained wholly within an owner's property is not normally considered to be a public nuisance.

NOTE: In addition to information furnished in the application, the department may also seek information from the Department of Human Services, the Department of Marine Resources, or other sources in the assignment of projects to specific categories and determination of the relative priority of problems within a category.

- B. Priority list.** The project priority list prepared by Commissioner staff is submitted to the board for approval. After approval, each applicant whose project will be funded is notified by the Commissioner, and two copies of an application for state grant that formally allocates the grant funds are then sent to each applicant for signature by authorized officials. An applicant who is not funded in any calendar year must reapply to be considered in the next calendar year.
- C. Rescission of unspent grant funds.** Grants which are awarded but not spent during the same calendar year may be rescinded by the department and used for other projects.

5. Use of grant funds

- A. Eligible costs.** Grant funds may be used to pay for the following work and services:
 - (1) Design of the treatment and disposal system;
 - (2) Construction of the treatment and disposal system up to and including connections through the foundation wall, as necessary;
 - (3) Proper abandonment of existing septic tanks to be replaced as part of the total construction plan;
 - (4) Inspection of the system by qualified person(s);
 - (5) Administrative services, advertising costs and telephone bills associated with the project, external plumbing permits, and easement recording fees;

- (6) Internal plumbing done to avoid the use of a pump when the cost of a pump would be greater than the cost of the re-plumbing. Claims for such costs must be accompanied by written estimates for both alternatives; and
- (7) Other project costs if the scope and cost are approved of in writing by the department.

B. Non-eligible costs. Grant funds may not be used to pay for the following costs:

- (1) Construction expenses incurred by the owner prior to department approval of an application for funding under this chapter;
- (2) Internal plumbing except as specifically allowed in section 5(A) (6);
- (3) Easement or land acquisition costs;
- (4) Excessive restoration beyond a reasonable amount necessary to comply with the Maine Subsurface Wastewater Disposal Rules or contract documents; and
- (5) Other unnecessary costs or excessive charges as determined by the department.

6. Applicant's responsibilities

A. Related laws. The applicant shall abide by the Maine Subsurface Wastewater Disposal Rules and all other applicable laws.

B. Good faith effort by the applicant. Prior to submission of an application, the applicant shall make a good faith effort to ascertain the existence of all malfunctioning septic systems and direct discharges that are affecting water quality or causing a public nuisance within its jurisdiction. These systems are defined under sections 7(B) and (C) below.

- (1) The applicant shall post a public notice about the program at the Municipal Building asking for information from individuals who may qualify for the program.
- (2) A Local Plumbing Inspector or Code Enforcement Officer shall inspect all potentially qualifying systems to determine if a malfunction or direct discharge exists.
- (3) The applicant shall provide the department with information necessary to determine the grant eligibility of each individual system. A list of eligible systems, arranged in order of severity of the pollution problem, will be developed jointly by the applicant and department. Individual systems will be funded based upon this eligibility list, in order of the most severe to the least severe, until available grant funds are expended. Projects not on the eligible list or lower on the list may be funded at the department's discretion.

7. Requirements of individual systems for inclusion in program

A. Individual system requirements. Individual systems may not be funded by the program unless the following requirements are met:

- (1) The applicant has received a state grant from the Small Community Program that includes funding for individually owned systems;
- (2) The individual system meets the eligibility criteria of sections 7 (B) and (C) and is included in the list of eligible systems described in section 6(B) (3) of this chapter;
- (3) The owner of the individual system meets the income requirements of section 7(E) below and has submitted a statement of financial condition to the applicant; and
- (4) The owner of the individual system has submitted to the applicant:
 - (1) a signed agreement and (2) a signed easement form.
 - (a) Agreement. The applicant shall require a signed agreement between the applicant and the owner for each individual system. This agreement must:
 - (i) Grant access to the site for design, construction and inspection of the required facilities;
 - (ii) Require payment of owner's share of project;
 - (iii) State that the owner is responsible for the maintenance and repair of the system; and
 - (iv) Be accompanied by the previous year's federal tax return if one was filed, or a signed statement of financial condition if a tax return was not filed.
 - (b) Easement form. The applicant shall require a signed easement form to be recorded by the applicant at the Registry of Deeds. This shall be recorded within thirty days after a contract has been signed for construction. This easement grants to the applicant the right of access at all reasonable times to inspect or correct a malfunction should the owner fail to do so, and requires repayment of all or part of the grant to the applicant if the property is sold or transferred within a time period determined by the department. Funds which are repaid because of the transfer of property may either be used by the applicant to construct other projects on the list of eligible systems, or returned to the department.

B. Eligible systems. In addition to other requirements of this chapter, only the following types of individual systems may be eligible for funding:

- (1) A structure that discharges raw or partially treated wastewater through a pipe or open ditch directly into the waters of the State;
- (2) A structure that discharges raw or partially treated wastewater through a pipe or open ditch and threatens the public health of the community; or
- (3) A structure with an alternative toilet (such as an outhouse, chemical toilet, or electric toilet) and gray water disposal systems that is discharging wastewater to the waters of the state or causing a public health hazard. Only the component of an alternative system that is discharging wastewater is eligible for funding.

C. Non-eligible systems. Individual sanitary systems are not eligible for funding in any of the following situations.

- (1) A structure that has been vacant for the twelve (12) months immediately prior to the date when a grant eligibility determination is requested from the State.
- (2) A structure lacking a pressurized water system.
- (3) A structure constructed after July 1, 1974, for which a septic system in compliance with the Maine Subsurface Wastewater Disposal Rules was not installed.
- (4) A seasonal dwelling converted to year-round use that does not meet the requirements set forth in 30-A M.R.S.A. § 4215.
- (5) A structure that is otherwise not in compliance with laws of the State or Municipality.

D. Expansion of existing facilities. A malfunctioning alternative disposal system, consisting of an alternative toilet and gray water disposal system, or one of its components, that is eligible for funding as described in section 7(B)(3) must be replaced with a properly designed alternative disposal system or component thereof. The grant percentage paid for the replacement will be determined as set forth in section 7(E) (1). Alternative systems that are upgraded to conventional systems are funded at one-half of the percentages shown in section 7(E) (1).

E. Financial requirements for individual systems. The applicant shall require a signed statement of financial condition from the owner(s) of each individual system. For purposes of this chapter, a copy of the owner(s) Federal Income Tax return for the preceding year is a statement of financial condition. If the owner(s) file separate returns, income from their returns will be combined for the purpose of determining eligibility for the program. In cases where a Federal Income Tax form is not filed, the owner must provide alternative documentation to the applicant for review and approval by the department. A statement of financial condition is not required for a building owned by a local government or non-profit organization.

For jointly owned single family and seasonal dwellings, grant percentage is determined by the sum of all the property owners' taxable income from the previous year.

For commercial properties, grant percentage is determined by the sum of the owners' gross profit income from the previous year. Taxable income and gross profit will be determined from the specific lines found on the appropriate tax returns.

For structures with multiple uses, the funding percentages will be prorated based on the wastewater flows generated by each use, as shown on the wastewater disposal system design.

8. **Design of treatment system.** The applicant shall secure the services of a qualified individual or consulting firm for the design of the treatment system. A licensed site evaluator may design subsurface treatment systems up to 2,000 gallons per day (gpd) in size. A professional engineer is required to design and prepare contract documents for subsurface wastewater disposal systems in excess of 2,000 gpd and for overboard discharge systems.

9. **Cost quotations, contract awards and state payments**

- A. **Bidding requirements.** The applicant is required to solicit quotations from area contractors using contract documents approved by the department. Sealed competitive bids are required for all contracts. An advertisement for bids must be published in a local newspaper at least seven (7) days before bids are opened. The systems may be bid as follows:

- (1) Separate contracts must be bid for each individual system, and the basis of contract award is a lump sum price for each system; or
- (2) A single contract must be bid for all individual systems. In this case, the basis of contract award is a total lump sum price for construction of all individual systems; or
- (3) For municipal systems, the basis of the contract award must be stated in the contract documents.

- B. **Contract documents.** Contract documents, to include forms such as the following, and must be approved by the department.

- (1) Instructions to bidders;
- (2) Bid proposal;
- (3) Contract agreement;
- (4) Contract general conditions;
- (5) Construction specifications; and
- (6) Construction plans.

- C. **Award of construction contracts.** The Applicant shall award construction contracts to the lowest responsive bidder pursuant to section 9(A) of this

chapter and provided that the contractor selected has demonstrated that he or she has the ability to perform the required work and that he or she will comply with all State laws and the requirements of the contract documents. The contract documents may require that bidders be licensed or certified to perform the work.

- D. State payments.** Payments for eligible costs up to the limit of funding are remitted to the applicant as they are incurred. A payment request consists of a department approved payment request form detailing the eligible expenses with documentation attached. Copies of design invoices, construction contracts, inspection invoices, advertisement invoices, and change order statements are the usual documentation required for payment; however, the department may require additional documentation in particular cases if necessary to prove the appropriateness of payment.

10. Inspection of treatment system. All construction under program grants pursuant to this chapter must be inspected as follows:

- A. Engineered subsurface or overboard discharge systems.** For subsurface disposal systems with wastewater flow greater than 2,000 gpd, or overboard discharge systems, the services of an on-site inspector hired by the consulting engineer are required.
- B. Non-engineered subsurface systems.** For subsurface disposal systems with wastewater flow less than 2,000 gpd, inspection by the local plumbing inspector or code enforcement officer is required. Additional inspection by a site evaluator, consultant, or department project representative may be required by the contract documents.

AUTHORITY: 38 M.R.S.A. § 411

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