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TITLE 830 – INFRASTRUCTURE BANK

CHAPTER 10 – PROGRAMS

SUBCHAPTER 30 – MUNICIPAL INFRASTRUCTURE GRANT PROGRAM

Part 1 – Municipal Infrastructure Grant Program Policies and Procedures

1.1 Purpose and Scope

The following Policies and Procedures of Rhode Island Infrastructure Bank (the "Bank") have been established to govern the provision of financial assistance from the Municipal Infrastructure Grant Program ("MIG") to applicants for municipal infrastructure improvement projects. Grants from the MIG will help to assist Rhode Island's cities and towns to advance projects that support job creation and expansion, housing development and rehabilitation, and community development projects. Projects should be targeted to areas or districts that municipalities have determined are best suited to efficiently accommodate future growth and redevelopment, with a focus on previously developed areas with some level of existing or planned infrastructure.

1.2 Authority

These Rules and Regulations are promulgated pursuant to the authority provided by R.I. Gen. Laws §§ 42-11.4-4 and 46-12.2-4.

1.3 Definitions

A. Except as otherwise defined herein, the words and phrases used within this Part shall have the same meaning as the words and phrases in R.I. Gen Laws § 46-12.2-2, as amended.

B. For the purposes of this Part, the following terms are defined as follows:

1. "Approved project" shall have the same meaning as in R.I. Gen. Laws § 46-12.2-2.

2. "Applicant" means any local governmental unit or joint application of two (2) or more local governmental units as defined in R.I. Gen. Laws § 46-12.2-2.

3. "Executive director" means the Executive Director of Rhode Island Infrastructure Bank or his or her designee(s).

4. "Division" means the Rhode Island Division of Statewide Planning.

5. "In-kind services" means a non-cash contribution of value provided by the applicant, including but not limited to the value of personnel, goods, or services provided by the Applicant.

6. "Municipal infrastructure project" or "project" means any project, including but not limited to, design, construction, existing structure or land acquisition, rehabilitation, repair and other improvements to publicly-owned infrastructure.

1.4 Financial Assistance

A. These Policies and Procedures govern the provision of financial assistance available to applicants for municipally-related infrastructure projects. Financial assistance shall be in the form of grants in amounts as determined by the Bank in consultation with the Division. At the discretion of the Bank, applications submitted by financially distressed applicants may receive priority consideration. In determining those applicants which qualify as "financially distressed," the Bank may consider the criteria set forth in R.I. Gen. Laws §§ 45-13-12(b)(1) through (4) as amended.

B. Requests for financial assistance shall be submitted in writing by the Chief Executive Officer or other authorized officer of the applicant to the Executive Director of the Bank in accordance with the open solicitation process pursuant to R.I. Gen. Laws § 42-11.4-3.

1.5 Permitted Projects and Eligible Costs

A. Permitted Project Categories

1. The following categories of projects will be considered, either alone or in combination, and include but are not limited to:

a. Design, construction, existing structure or land acquisition, rehabilitation, repair, and other improvements to publicly owned infrastructure, which may include but is not limited to sewers, utility extensions, streets, roads, curb-cuts, parking, water-treatment systems, telecommunications systems, transit improvements, and pedestrian ways that assist municipalities to advance projects that support job creation and expansion, housing development and rehabilitation, and community development projects. Projects should be targeted to areas or districts that municipalities have determined are best suited to efficiently accommodate future growth and redevelopment, with a focus on previously developed areas with some level of existing or planned infrastructure.

B. Project Costs

1. The following types of costs are eligible to be paid for from financial assistance provided from the MIG pursuant to this Part:

   a. Planning, design, environmental, historic preservation, engineering, or other professional consulting services.

   b. Legal and other professional services directly related to the project and project development.

   c. Plantings, reforestation, landscaping.

   d. Construction.

   e. Materials.

   f. Monitoring, oversight, and inspection services.

   g. Personnel costs directly related to the performance of the project.

   h. Community outreach and engagement.

2. Types of costs that are ineligible to receive monies from the MIG program include:

   a. Administrative costs including clerical support, monthly utility expenses, the purchase of office equipment, personnel costs associated with fund raising for the nongovernmental entity, etc.

   b. State or Federal lobbying costs.

   c. Response costs for emergency response actions caused or exacerbated solely by the applicant or their agents or assigns.

   d. Any fines, damages, assessments, settlements or other monies paid in connection with any litigation or administrative proceeding with any local, State or Federal regulatory agencies.

1.6 Grant Application & Review

A. The grant application shall be in a form acceptable to the Bank as prescribed in any open solicitation period.

B. The Bank shall review and approve all grant applications after consultation with the Division.

C. Each proposed project application submitted in an open solicitation period shall be reviewed, scored, and ranked based upon a range of criteria which shall be applied so as to promote the goals and requirements of R.I. Gen. Laws § 42-11.4-1, et seq. and these Regulations, including but not limited to:

1. A minimum project readiness standard as identified by the Bank in the open solicitation period;

2. Overall spending targets by project type;

3. Time line and budget for the proposed project;

4. Economic development potential;

5. Leveraged private investment;

6. Proposal quality;

7. Alignment with the State's prevailing economic development plan; and

8. Other criteria as identified by the Bank during the open solicitation period.

1.7 Grant Reporting Requirements

A. Following an award, Applicants shall provide information to the Bank regarding the project that satisfies the reporting requirements of R.I. Gen. Laws § 42-11.4-5, or as otherwise requested by the Bank.

B. Successful Applicants shall provide the Bank with other information or reports as and when the Bank may reasonably require.

1.8 Grant Agreements

There will be a Grant Agreement for each award of approved financial assistance outlining the terms and conditions of the grant, as applicable.

1.9 Compliance with Federal, State and Local Law

The Applicant must comply with all applicable Federal, State and local laws and Regulations.

1.10 Modifications

Where deemed appropriate by the Bank, waiver or variation of any provisions herein may be made or additional requirements may be added.

1.11 Severability

If any provision of this Part or the application thereof to any local governmental unit, person, or corporation is held invalid by a court of competent jurisdiction, the remainder of this Part shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections shall not affect the validity of the remainder of this Part.