

## District's Project Overview

To assist the municipalities served by the Milwaukee Metropolitan Sewerage District (District) with Total Maximum Daily Load (TMDL) compliance and to improve municipal stormwater management that may affect the District's system, the District's 2027 - 2032 Capital Budget includes a project, Green Solutions (GS), that will serve as a funding mechanism to the municipalities for Commission-approved types of green infrastructure and combined sewer separation.

## Project Purpose

The purpose of this project is to provide financial incentives to District municipalities to help achieve TMDL compliance while also progressing towards the District's 2035 Vision's goals related to integrated watershed management (IWM), the District's Regional Green Infrastructure Plan, and the District's discharge permit. In particular, it addresses the following goals:

- 1) Work with District partners to strive toward zero basement backups.
- 2) Work with District partners to achieve, to the extent feasible, zero sanitary sewer overflows and zero combined sewer overflows.
- 3) Use green infrastructure to capture the first 0.5 inch of rainfall.

In projects within the separate sewer systems, the project goals include green infrastructure projects that reduce stormwater runoff (and potentially inflow and infiltration or I/I), while also providing water quality benefits.

In projects within the combined sewer systems, the project goals include green infrastructure projects that reduce stormwater runoff.

## Project Sponsors

Project sponsors are defined as the public and the private property owners of project sites.

## Eligible Work

*Appendix A* includes a table that lists examples of eligible work. The following constraints to green infrastructure implementation should be evaluated: topographic slopes greater than 12 percent, depth to bedrock less than 6 feet, or depth to groundwater less than 6 feet. Eligible green infrastructure work should be separated by a minimum of ten feet laterally from known underground sanitary sewer infrastructure and other underground utilities, unless space constraints prove to be impractical.

## District Review and Approval Process

There will be up to two submittal periods each year. The first will be from February 1<sup>st</sup> to March 30<sup>th</sup>. The second will be from September 15<sup>th</sup> to October 1<sup>st</sup> if there is remaining budget that was not committed during the first application cycle.

Municipal workplans will be submitted by the municipality to the District for review between February 1<sup>st</sup> and March 30<sup>th</sup> of each year. The District will review and score the work plans received during that time. Funding agreements will be assembled, and notices will be given by the end of April of each year. Projects can be chosen to be put on both private and municipal property if the private party agrees to the terms of the funding agreement. Please review the Work Plan Scoring section for how the work plans will be scored and budget distributed.

The District will provide via email an approval, conditional approval, or disapproval of the workplan. Once approved, the District will draft a funding agreement for execution.

### **Work Plan Scoring**

Scoring will include the quality of the design, schedule, and outstanding project balance for projects contracted with the District, that are not closed out yet.

Depending on the number of work plans received, and budget requested, the District will reserve the right to award projects a percentage of the total request.

The following items define how the work plans will be scored and what information will be considered for each score during review.

**Schedule (15 points)** – The project has a defined schedule ensuring the easement will be recorded and the invoice will be received within 2 years of the application.

**Budget (10 points)** – Does the project have a plan for the rest of the funding, or if all the requested funding is not received. For example, if only 50% of the funding requested can be allocated due to the number of requests that are received.

**Project Balance (15 points)** – Have all projects that requested funding from 2 plus years ago been closed. How much funding has been awarded over the past two funding cycles compared to other municipalities that are currently requesting funding.

**Green Infrastructure Capacity (20 points)** – The work plan should document the estimated capture capacity of the green infrastructure being proposed and the cost effectiveness of it.

**System Effectiveness (25 Points)** – How beneficial is the project to the MMSD system. Is the project located in the CSSA, are there any known flooding issues or basement backup issues in the area, and how does the project score according to the GIS Hydraulic Scoring Tool developed by Confluency for the MMSD.

**Design (15 points)** – How far along is the design, does it have multiple GI elements, does it promote biodiversity, does it have any outreach or community benefit to it.

### **Funding Agreement**

The District shall require a Funding Agreement with the project sponsor that details the scope, including but not limited to the GS work to be done and the timeline for the work to be completed. All projects must have a minimum value of \$25,000 of Green Infrastructure work in order generate a funding agreement.

### **Limited Term Conservation Easement**

Upon completion of construction, the District shall require an 11-year limited term conservation easement to be set in place before the project is reimbursed. The conservation easement will be drafted by the District staff once a detailed description of green infrastructure, zone map showing the

green infrastructure, property map, and an identification of green infrastructure property boundaries of the property are provided.

### **Project Notice to Proceed**

The project sponsor shall commence GS work upon execution of a completed funding agreement. The District shall provide a notice to proceed upon execution of a complete funding agreement.

### **Procurement**

Procurement rules and standards must be followed by each respective municipality's own set of procurement rules. For non-municipal project partners, the following must be followed:

- For all expenditures over \$3,000 and less than \$20,000, the Partner will solicit three quotes and will provide these quotes to the District upon request. The Partner will give disadvantaged business enterprises, including small, women-owned, and minority-owned business enterprises, an opportunity to compete for work on this project by soliciting quotes from those businesses to the maximum extent possible. The District's procurement office will provide a list of these businesses, upon request.
- For all expenditures estimated to cost \$20,000 or more, the Partner will use a sealed competitive bidding process. The Partner will solicit small, women-owned, and minority-owned businesses to the maximum extent possible. The District will assist with the public bidding process, upon request.

### **Change Process**

The project sponsor should communicate any requested changes or deviations from the funding agreement in a timely manner. The District will review the request for a change in a timely manner. The District will provide in writing an approval or disapproval of the change.

### **Project Completion**

The project sponsor shall notify the District upon completion of the GS work. The District has put together a template to aid with the report. This notification is not meant to be arduous and should include the following:

- rainwater capture capacity (maximum per storm) and other information regarding runoff rate reduction or pollutant capture;
- an identification of green infrastructure property boundaries on the property where the project is located (for the conservation easement);
- lessons learned;
- an operations and maintenance plan, including how to fund for 11 years;
- an outreach and education strategy with completed and planned activities;
- an itemization of all construction costs, with supporting documentation;
- photos showing the project during construction and upon project completion
- a W-9 Tax Identification Number form;
- a list of all permits collected during the construction process;
- the bid tab from construction;
- executed construction contracts;
- a Small, Women, and Minority Business Enterprise Report; and

- an Economic Impact Report showing the total number of people and the estimated number of hours worked on design and construction of the project by the project sponsor, contractors, consultants, and volunteers.

If requested by a municipality, District staff can assist with this report.

### **Annual Maintenance Report**

This report will summarize project performance to the extent easily known and the project sponsor's maintenance activities during the preceding year. This report is due April 30<sup>th</sup> of each year. The project sponsor will provide these reports for the 11 calendar years following the year in which the project sponsor completes construction. The District will create an online tool to simplify this process.

If requested by a municipality, District staff can assist with this annual report.

### **District Budget**

From 2027 through 2029, the District has \$2.5 million budgeted annually for the program. This is subject to annual budget approval.

### **Reimbursement**

District reimbursement is contingent upon the following criteria:

- the District must have approved the project before the project is commenced;
- the project shall be substantially complete;
- the project sponsor will have provided documentation of the project's results as described in the Project Completion section above (including the baseline report);
- conservation easement will be executed. GS work is expected to be maintained and functional for a 11-year period of time;
- project sponsors will post educational signage;
- municipalities will post a photograph and short description of the project and its benefits in public newsletters and/or on the internet.

Upon completion of the above criteria, reimbursement may be requested.

The District will reimburse the project sponsor when the District contact approves the completion of GS work and satisfaction of all terms in the Funding Agreement.

### **Disclaimer**

This project is included in the District's 2015 - 2032 Capital Budget and long-range financing plan. For each fiscal year, the District's Commission adopts an annual budget and approves a long-range financing plan. Such approval of the long-range financing plan does not commit the District to any future project or funding. Should the project not be approved in future years' capital budgets, the District's funding and reimbursement obligation will be limited to projects having a completed funding agreement with the District for the work.

Any work performed by a municipality prior to District approval is done at the municipalities' own risk.

Any exceptions to the above policy will be on a case by case basis at the discretion of the District's Executive Director.

**District Contact for the Green Solutions:**

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