

MASSACHUSETTS CLEAN WATER TRUST

LOAN QUESTIONNAIRE

PURPOSE

This questionnaire relates to a Project expected to be financed with a Loan from the Massachusetts Clean Water Trust (the “Trust”). It is intended to provide the Trust with information necessary to permit the Trust to fund the Loan using tax-exempt bonds.

Please enter a response for each question.

If a particular question is not applicable, please respond “N/A”.

If a particular question requests information that is unavailable, please include an explanation of *why* the information is unavailable.

If you have any questions regarding this form please contact your bond counsel or the Trust at 617-367-9333, Attention: Sue Perez, Executive Director (Extension 816).

GENERAL INFORMATION

- A. Borrower (Name of City, Town, District, etc.):
- B. Employer Identification Number:
- C. Unique Entity ID Number and Expiration Date:
- D. Loan and Project Identification:

Commitment No.

DEP Project No.

Aggregate Loan Obligation

\$_____

- E. Wire Transfer Instructions for Loan Disbursements:

Bank:

Account No.

ABA No.

CONTACT INFORMATION

A. *Chief Financial Officer*

Name:
Title:
Address:

E-mail Address:
Telephone:

B. *Treasurer*

Name:
Address:

E-mail Address:
Telephone:

C. *Department of Public Works Contact Person*

Name:
Title:
Address:

E-mail Address:
Telephone:

D. ***Bond Counsel:***

Firm Name:

Attention:

Address:

E-mail Address:

Telephone:

E. ***Financial Advisor:***

Firm Name:

Attention:

Address:

E-mail Address:

Telephone:

FINANCIAL REVIEW

A. Current Credit Rating(s) (**Attach** most recent rating report for each rating received):

1. S&P: _____

2. Fitch: _____

3. Moody's: _____

4. Other (specify): _____

B. Source(s) of Loan repayment (*check all that apply*)

1. ☐ Utility Rate Increase

2. ☐ Tax Increase

3. ☐ Betterments

4. ☐ Other (Describe): _____

C. Cash flow sufficiency. **Attach** a cash flow statement showing that the source(s) listed above will provide sufficient funds to make each estimated semiannual debt service payment on the Loan.

THE PROJECT (your Department of Public Works may be helpful with this information)

A. Brief description of the Project:

B. Estimated Total Cost of the Project (include *all* eligible and ineligible costs of the Project, regardless of source of financing, and any contingency included in the Project budget): \$_____

C. Sources of Financing of Estimated Total Project Cost:

Trust Loans:

This Loan:\$

Prior Loans:

Loan No. _____ \$_____

Loan No. _____ \$_____

Future Loans:

Approved by DEP\$

Pending DEP Approval\$

Other Long-Term Debt of the Borrower:

Prior Bond Issues\$

Future Bond Issues:

Authorized\$

To be Authorized\$

BANs to be Retired from Revenues\$

Grants:

Federal\$

State\$

Appropriation from (specify)\$

Estimated investment earnings⁽¹⁾\$

Other (specify):\$

Estimated Total Cost of the Project⁽²⁾:\$

(1) Excluding investment earnings on this Loan.

(2) Amount should equal Estimated Total Cost of the Project listed at B above.

D. Design and construction schedule

1. Has design/engineering of the Project commenced?

- i. ☐ Yes; or
- ii. ☐ No, design/engineering is expected to commence on ____/____/____

2. Has construction of the Project commenced?

- i. ☐ Yes; or
- ii. ☐ No, construction is expected to commence on ____/____/____

3. The Project is expected to be completed/placed-in-service on ____/____/____

E. Payment Schedule (Loan Eligible Costs Only)

1. Final payment of Project Costs from the Loan is expected to be made on ____/____/____

- i. **Attach** a schedule showing the expected amounts of Project Costs to be paid with this Loan monthly, from the date of this questionnaire until all proceeds of this Loan are spent.

2. Payments to date:

- i. No Project Costs have yet been paid _____; or
- ii. Project Costs were first paid on ____/____/____ and Project Costs to date have been paid from (*check all that apply*):

- 1. ☐ BAN proceeds
- 2. ☐ Revenue cash
- 3. ☐ Bond proceeds
- 4. ☐ Other (specify) _____

3. This Loan was authorized on ____/____/____ (**Attach** a copy of the borrowing authorization).

4. Were any Project Costs paid *before* the borrowing authorization?

- i. ☐ No; or
- ii. ☐ Yes.

If Yes, describe the amount, timing, and purpose of such payments.

<u>Date(s)</u>	<u>Amount(s)</u>	<u>Purpose(s)</u>
____/____/____	_____	_____
____/____/____	_____	_____

F. Capitalization of Costs. Will any Loan proceeds be used to pay (or reimburse the payment of) non-capitalized costs (*e.g., supplies, ordinary repairs and maintenance, salaries, utilities, or other operating costs, including interest on debt*)?

1. ☐ No; or

2. ☐ Yes. (*If Yes, answer the following two questions*):

i. Describe the nature and amount of the non-capitalized costs and the relationship of such costs to capitalized costs of the Project.

ii. Will any non-capitalized costs be incurred *after* the Project is placed in service?

1. ☐ Yes; or

2. ☐ No.

G. Private Use. Will any portion of the Project be owned, leased, managed/operated, or otherwise used (other than as a member of the general public^{*}) by a person or entity other than a state or local governmental unit?

1. ☐ No; or

2. ☐ Yes. (*If Yes, answer questions i through vi below*):

i. Identify the user: _____

ii. Check the line(s) below which best describe the *use*:

☐ Owned (**attach** documents allowing Borrower's use)

☐ Leased (**attach** lease)

☐ Managed/operated (**attach** the applicable contract)

☐ Other (**attach** related documents/agreements)

iii. Check the line(s) below which best describe the *user*:

☐ Federal governmental unit

☐ Private, for profit entity

☐ 501(c)(3) nonprofit organization

☐ Other (describe) _____

^{*} The use of a project in the same manner as other members of the general public is not a "private use" for purposes of this question. For example, the provision of sewer service to a private company is not a private use, even if the charges reflect a volume discount, *so long as* the same service is available to other members of the public on the same basis. On the other hand, take or pay contracts or other output contracts with private businesses should be noted.

iv. Will the nongovernmental user pay for use of the Project?

1. ☐ No; or
2. ☐ Yes. (If Yes, describe such payments, including amounts and period over which payments are to be made).

v. List the Total area or volume of the Project (in square feet or by volume)

vi. List the managed/operated by, leased to, owned by, or otherwise used by the users listed above (if the entire Project is to be managed/operated, leased, owned or otherwise used by the user, simply enter "All" under the appropriate column)

	Area (or volume) used by non-governmental entity	% of total area (or volume) of Project to be used by non-governmental entity(s)
Managed/operated by:		
Leased to:		
Owned by:		
Other use by:		
Total Percentage		

REFINANCING OF DEBT

A. BANs. Will any proceeds of the Loan be applied to the payment of outstanding BANs (or other temporary debt)?

1. ☐ No ; or
2. ☐ Yes (provide the following information separately for each issue of BANs to be repaid in whole or in part from the proceeds of the Loan):

i. Total BAN principal outstanding: \$_____

- ii. Amount of BAN used for Project (*dollar amount or "All"*) \$_____
- iii. BAN issue date (if BAN refunded another borrowing, list 'new money' issue date): ____/____/____
- iv. BAN maturity date: ____/____/____
- v. Is BAN prepayable prior to maturity?
 - 1. ____ No; or
 - 2. ____ Yes, BAN is prepayable on or after ____/____/____
- vi. Estimate total investment earnings on BAN proceeds: \$_____
- vii. Such investment earnings were (will be) used to pay:
 - 1. ____ Debt Service
 - 2. ____ Project Costs
 - 3. ____ Other (specify) _____

B. Bonds. Will any proceeds of the Loan be applied to the payment of outstanding bonds (or other long-term debt)?

- 1. ____ No ; or
- 2. ____ Yes (**attach** a copy of the closing transcript for the bonds, and provide the following information separately for each bond issue to be repaid in whole or in part from proceeds of this Loan):
 - i. Unspent proceeds
 - 1. ____ All proceeds have been spent; or
 - 2. \$_____ of unspent bond proceeds remain; they are expected to be spent on or before ____/____/____
 - ii. Investment earnings
 - 1. ____ There were (will be) no investment earnings; or
 - 2. ____ Investment earnings were (will be) used for:
 - a. ____ Debt Service
 - b. ____ Project Costs
 - c. ____ Other (specify) _____

LITIGATION

- A. Is any action, suit, proceeding, inquiry or investigation before or by any court, public board or other body presently pending or, to your knowledge, threatened, against or affecting the Borrower seeking to restrain or enjoin the execution and delivery by the Borrower of a Loan Agreement for the Loan or the issuance and delivery of the Borrower's Local Governmental Obligations to evidence and secure the Loan or challenging any proceeding of the Borrower with respect to the Loan or the Project, or contesting or affecting the validity or enforceability of the Loan Commitment, the Loan or any such proceedings?
1. ☐ No ; or
2. ☐ Yes*
- B. Is any litigation or other proceeding pending or, to your knowledge, threatened against or affecting the Borrower which, if determined adversely to the Borrower, would likely result, either individually or in the aggregate, in final judgments which would materially adversely affect the ability of the Borrower to repay the Loan?
1. ☐ No ; or
2. ☐ Yes*

* If you answered Yes to *either* of the questions in this LITIGATION section, **attach** a detailed description of the litigation, inquiry, investigation, claim or other proceeding, **and** list contact information for your counsel for this purpose in the fields below:

Firm:
Attorney:
Address:
Telephone:

LOAN STRUCTURING

- A. Please check the preferred loan term:
1. ☐ 20 Years
2. ☐ 30 Years (Please see B(2) below)
3. ☐ Other: _____ years (Please see B(2) below)
- B. **Attach** engineer's determination of useful life of the Project for
1. All water meter or planning projects; and
2. All Clean Water and Drinking Water construction projects

C. Please check the preferred loan amortization:

1. ____ Level principal
2. ____ Level debt service

OTHER INFORMATION. If you have any other relevant information to provide or an additional structuring or other request to make, please include it below.

By signing below, I certify that, to the best of my knowledge and belief, all information set forth in this Loan Questionnaire is correct and complete as of the date below.

Date: ____/____/____

By: _____
Authorized Officer
Name:
Title: