

**APW-02 Execution of IMA(s) in compliance with Section V(C) of the Order on Consent**

**General description**

Development of APCs governance structure for implementation of the LTCP.

**Purpose**

Definition of the policies and protocols for adherence by the six (6) APCs and two (2) sewer districts in regards to the implementation of the CSO LTCP.

<b>SPDES Permits</b>	<b>LTCP Estimated Project Cost (Millions)</b>
NY 002 5747, 003 1046, 003 0899, 003 3031	\$0.78
<b>Grant Funding or other sources</b>	<b>Cost Share</b>
.78 (NYS DOS Lge Grant)	\$0.00
<b>Manage construction</b>	<b>Contact Information</b>
CDRPC	Martin Daley
<b>Certification</b>	CDRPC
APCs	(518) 453-0850 / mdaley@cdrpc.org
<b>Consent Order Milestones</b>	<b>Date Milestone Met</b>
Task Start Date: 1/15/14	1/1/2013
Task Completion Date: 4/15/15	4/14/2015

**Status**

**3/27/14:** Communities have reviewed local laws and have not found any that need to be revised/enacted to carry out the IMA. Districts may need MOA with boards for authorizations that are necessary to carry out the IMA. Respondents reviewed procurement requirements for the Local Development Corp. Respondents discussing preliminary designations of responsibility in the Responsibility Matrix, particularly Operations & Maintenance. Bond Counsel is developing a 1-page potential financing report that will dovetail into the IMA.

**4/24:** Bond counsel and financial officer reviewing draft IMA language for incorporation of Capital Improvements Plan and Financial Plan. Held preliminary meeting with EFC on 4/23. **5/22:** Draft copy of IMA and LDC policies to CDRPC for internal review completed, the next phase will collect feedback from EFC. **7/10:** EFC review complete (anticipated 7/3) delivered to communities for review on 7/10 (anticipated) **8/14:** Draft APC IMA, draft Sewer District IMA, LDC formation documents, model resolutions, and related materials delivered to pool for review. The communities will have roughly one month to review and submit comments or questions. It is anticipated that an IMA will be completed by August 28, 2014 for submittal to DEC for review and approval. **9/11:** Legal team meeting with the city of Albany to work through some questions related to city vs. Water Board responsibilities. **10/9:** An early October delivery is anticipated, though Albany still needs to provide their "ok." **11/13:** The draft IMAs and LDC documents were delivered to DEC on 10/3 for comment. The communities plan to meet with DEC on November 14th to walk the Department through the documents and address any concerns. **1/08/15:** The three IMAs have been accepted by DEC and a responsibility matrix tabulated. The IMA schedules advanced to take advantage of EFC financing that closes on 3/2/15. Thus, the APC communities will authorize and execute the IMA prior to bond resolutions, which need to be in place by 3/2. **2/12:** To date all communities with the exception of Troy have executed the Pool IMA. District IMAs will be executed next month (not needed for EFC) **3/12:** The six Pool Communities executed the Pool IMA on 2/25/15. The IMA was submitted to DEC and EFC. **4/9:** Albany is the last party needed to execute the ACSD and RCSD IMA. Once fully executed, this IMA will be assembled and submitted to DEC. **5/14:** All parties have executed the Pool and District IMAs and Certificate of completion was submitted on 4/24/15.