



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

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Lieutenant Governor

Rebecca L. Tepper
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Bonnie Heiple
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July 1, 2024

Robert Sinibaldi, Public Works Director
Town of Merrimac
2 School Street
Merrimac, MA 01860.

RE:
Town of Merrimac
DWSRFC No. 1
PAC No. DWC-24-1
PWS Name- Merrimac Water Department
PWS ID- 3180000

Dear Mr. Sinibaldi:

The Massachusetts Department of Environmental Protection, Drinking Water Program (DWP), is pleased to inform you that the Project Approval Certificate for the above-referenced project has been signed and forwarded to the Massachusetts Clean Water Trust (the 'Trust'). Grant agreements will be executed with you by the Trust, pending an affirmative vote from the Board of Trustees.

The attached copy of your Project Approval Certificate allows you to proceed with your project without loss of potential eligibility in accordance with the provisions of 310 CMR 45.00, subject to the conditions of the certificate.

Please refer to the project schedule contained in Exhibit B of your Project Approval Certificate. The schedule is an important condition of the Division's approval. If your project falls behind schedule, you must request a revision to the schedule from the Division. Any such request must be in writing and be supported with adequate documentation, as there is a pressing demand by other municipalities for these limited funds.

If you have any questions on this information, you may contact the MassDEP/DWP at program.director-dwp@mass.gov, subject: Cybersecurity Improvement Grant.

Sincerely,

Yvette DePeiza
Program Director,
MassDEP Drinking Water Program

Attachment: Project Approval Certificate
ecc:

DWP NERO: Kristin Divris kristin.divris@mass.gov

Haley Ward Inc: smiller@haleyward.com

Merrimac Water Department: James Clark jclark@townofmerrimac.com

PAC

DESCRIPTION TRANSMITTAL FORM

Merrimac

Local Government Unit

NEW 07/01/2024

Issued

DWC-24-1

PAC Number

Project: *Cybersecurity Improvement Grant*

Project No. *DWSRFC-1*

Project Description:

Cybersecurity Improvements: Cybersecurity Training (prevention and Response) for Water system employees.

Contract/Transmittal Notes

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRINKING WATER PROGRAM

PROJECT APPROVAL CERTIFICATE

A. PROJECT DESCRIPTION

1. Applicant: Town of Merrimac
2. Address: 2 School Street Merrimac, MA 01860
3. Project Contact/Telephone: Robert Sinitabldi- Telephone: 978-364-8417
4. Reviewer: Gufran Bulbul-gufran.bulbul@mass.gov
5. PWS ID: 3180000
6. Project Number / Description: DWSRFC-1/ Cybersecurity Improvement Grant

B. APPROVED FUNDING

Eligible Costs approved for cyber security improvements: \$17,300

C. CERTIFICATION

The Department of Environmental Protection (the "Department") hereby determines and certifies to the Massachusetts Clean Water Trust (the "Trust") in accordance with M.G.L. c. 21, s.27A, M.G.L. c. 29C, (the "Enabling Act"), and 310 CMR 45.00 (the "Regulations") (with all capitalized terms not otherwise defined herein having the meaning given such terms in the Regulations) as follows:

1. This Project Approval Certificate (the "Certificate") is issued by the Department in accordance with M.G.L. c. 21, s. 27A, the Enabling Act, and the Regulations, for the State Revolving Fund Project (the "Project") of the Applicant (the "Applicant") described above. The Department has approved the Project and hereby certifies to the Trust the total Costs of the Project determined by the Department to be eligible for financial assistance pursuant to Sections 6 and 6A of the Enabling Act ("Eligible Costs"). The Department's eligibility determination in Exhibit A complies with the applicable provisions of the Regulations.

2. This Certificate and the Department's approval of the Project is conditioned upon; (i) the Applicant's compliance with the terms and conditions of the Applicant's certification contained in its Application for financial assistance; (ii) the Applicant's compliance with the Project schedule contained in Exhibit B and the Special Conditions contained in Exhibit C; (iii) the execution and delivery by the Applicant and the Department of a Project Regulatory Agreement for the Project (the "Project Regulatory Agreement") in form and substance satisfactory to the Department; and (iv) the Applicant's compliance with the executed Project Regulatory Agreement, as determined by the Department. The Project Regulatory Agreement shall be incorporated by reference in each Financing Agreement and/or Grant Agreement (collectively, "Financing Agreement") between the Trust and the Applicant, and failure by the Applicant to comply with the Project Regulatory Agreement shall constitute an event of default under the Grant Agreement.

3. The Project meets eligibility requirements.

4. This Certificate is issued by the Department on the basis of information provided by the Applicant in its Application for financial assistance and the representations of the Applicant contained therein. The Applicant has agreed to promptly notify the Department of any material change in the information contained in the Application, which change may be grounds for modification or rescission of this Certificate. This Certificate is further subject to modification or rescission because of any change in law subsequent to the date of this Certificate and prior to the date any financial assistance is provided by the Trust in accordance with this Certificate.

5. The Department has determined that the Applicant has demonstrated adequate technical, financial, and managerial capability.

FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

C. W. York del.

Date: 07/01/2024

Yvette DePeiza,
Drinking Water Program Director

Exhibit A

ELIGIBILITY DETERMINATION

SOURCE

ELIGIBLE COST

INELIGIBLE COST

Cybersecurity Training
Cyber Security Improvement Grant

\$17300

\$0

Total

\$17,300

\$0

PROJECT SCHEDULE

Exhibit B

<u>Project</u>	<u>Project Start</u>	<u>Project Completion</u>
Cybersecurity Improvement Grant	08/01/2024	12/31/2024

Exhibit C**SPECIAL CONDITIONS**

- (1) The Applicant shall ensure that any prime contracts or subcontracts for services, construction, goods or equipment for the Project contains the applicable Affirmative Action and Minority/Women Business ('M/WBE') requirements in the Department's Regulations and the federal Disadvantaged Business Enterprise (DBE) rule. The Applicant shall comply with the Civil Rights Act of 1964, 42 USC s.2000(a) et seq., as amended, and all Executive Orders and regulations promulgated hereunder. The Applicant shall ensure that any prime contracts or subcontracts for services, construction, goods or equipment for the Project contain the M/WBE utilization goals of 4.2% MBE and 4.5% WBE.
- (2) The Applicant shall submit an executed copy of the contract for engineering services to the Department within sixty (60) days of the date of contract execution. The Applicant understands that no payments for the Project will be processed until such contract has been submitted to the Department.
- (3) Prior to receiving final payment for the Project, the Applicant shall certify to the Department that all work included in the Project Regulatory Agreement for the Project, as approved by the Department, has been completed and performed in accordance with the Project Regulatory Agreement.
- (4) The Applicant shall establish accounts for the Project which shall be maintained in accordance with generally accepted government accounting standards.
- (5) The Applicant understands and agrees that the Department's issuance of a Project Approval Certificate for this Project or entry into a Project Regulatory Agreement does not constitute the Department's sanction or approval of any changes or deviation from any applicable state regulatory or permit standards, criteria, or conditions, or from the terms or schedules of state enforcement actions or orders applicable to the Project.
- (6) The Applicant agrees to provide any Project information and documentation requested by the Department. The Applicant shall maintain all Project records for seven (7) years after the issuance of final payment or until any litigation, appeal, claim, or audit that is begun before the end of the seven (7) year period is completed or resolved, whichever is longer.
- (7) Any proposed change in Project-related contracts which substantially modifies the Project initially proposed shall be submitted to the Department for prior approval.
- (8) The Applicant's implementation of the Project, shall comply with all applicable requirements of state and local laws, ordinances, by-laws, rules and regulations.
- (9) The Applicant agrees to adhere to the procurement requirements in Title 2 of the Code of Federal Regulations (CFR) §§ 200.318 through 200.327.