**- SAMPLE –**

THIS LETTER MUST BE FILED WITH YOUR FINANCIAL ASSISTANCE APPLICATION. PLEASE RETYPE ON YOUR LETTERHEAD, OR ON PLAIN PAPER IF NO LETTERHEAD EXISTS, USING THE APPROPRIATE BRACKETED LANGUAGE. FILL IN ALL BLANKS AND SIGN THE LETTER USING THE APPLICABLE FORMATTED SIGNATURE LINES.

###### LETTER OF RESPONSIBILITY

Pennsylvania Infrastructure Investment Authority

22 South Third Street

Harrisburg, Pennsylvania 17101

RE: Application for Financial Assistance (“Application”) in the amount of $ \_\_\_\_\_\_\_\_\_\_ from the Pennsylvania Infrastructure Investment Authority (“Authority”) to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (“Applicant”) for the [establishment or improvement of a drinking water system] [establishment of improvement for collection and treatment of sewage system] [establishment or improvement for collection and/or treatment of a storm water system] I [\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City] [\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Borough] [ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Township] , \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Commonwealth of Pennsylvania (“Project”).

 Executive Director:

 In connection with the above captioned loan application, please be advised that Applicant certifies the following:

  A. That the filing of this application and subsequent incurring of debt in the amount of $ \_\_\_\_\_\_\_\_\_\_\_\_\_, Was duly authorized in a resolution (copy attached) approved by its [Board of Directors] [governing body] that the [resolution] [authorization] is in the same or similar form and contains all the material elements that need to be provided to the Applicant by the Authority.

 B. That the statements and representations made in the foregoing application and all exhibits and documents submitted in connection therewith are true and correct to the best information and belief of the Applicant, and that they are submitted by the Applicant to form the basis of the application.

  C. The Project, when completed, will work to improve the overall [provision of water to the public for human consumption] [collection and treatment of sewage} [collection and/or treatment of storm water] in the Commonwealth of Pennsylvania.

  D. With respect tot the establishment of the Project, construction and/or acquisitions of any portion of the Project has not commenced and will not commence prior to the approval of the application by the Authority.

 E. [Except as stated in the attached addendum,] Applicant has not been cited by any governmental agency for causing pollution in the Commonwealth and the project has bee designed so as not to cause pollution in violation of existing standards.

F. [Except as stated in the attached addendum,] Applicant does not have any outstanding loans from the Water Facilities Loan board or the Authority that are delinquent

 G. [Except as described in the attached addendum,] their are no encumbrances, pledges, or liens against the revenues generated or to be generated from the operation of the Project.

  H. Applicant will take the necessary actions, pursuant to all applicable laws and regulations, to execute all documents required by the Authority if financial assistance is approved by the Authority and accepted by the Applicant.

  I. Applicant will, should the Loan be offered by the Authority and accepted by the Applicant, execute a [Promissory] [General Obligation] [Guaranteed Revenue] Note.

  J.       Applicant will execute all documents required by the Authority to consummate the Loan in conformity with the procedures prescribed by law.

 K.    Municipality in which the Project is located is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

1. Applicant has retained a public accountant who has prepared a financial statement of the current and projected financial status of the applicant of which both the form and content is acceptable to the Authority.

 M. Applicant can repay the Loan from existing and reasonably anticipated project revenues.

  N.         Applicant has retained counsel to represent it in connection with the application and to prepare or assist applicant in preparing any and all documents required by the Authority who has been engaged to render an opinion to the Authority regarding the ability of the applicant to enter into the loan agreements and related documents required for the loan from the Authority.

  O.        Applicant will, in every project undertaken with the use of proceeds from this or other loans from the Authority, comply with the Steel Products Procurement Act, Act of March 3, 1978 (P.L. 6, No. 3) 73 P.S. Section 1881 et. Seq.

  P.         Applicant shall not discriminate against any employee or against any applicant for employment because of race, religion, color, national origin sex or age. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship.

  Q.         The Applicant certifies that it is not currently under suspension or debarment by the Commonwealth, any other state, or the Federal Government and shall require the same certification from any contractors providing services in connection with the Project.

  R.          The Authority has the right to require the Applicant to terminate any contract with a contractor that becomes suspended or debarred by the Commonwealth or the Federal Government during the construction period of the project.

  S.           The Applicant agrees that it shall be responsible for necessary and reasonable costs and expenses incurred by the Office of Inspector General relating to an investigation of the Applicants/Contractor’s compliance, which results in the suspension or debarment of the Applicant/Contractor.

  T.        The Applicant agrees that it shall execute any and all certifications required by the Authority under any Contractor Integrity Provisions and shall require all contractors to execute the same certifications.

  U.        The Applicant shall provide evidence that it has complied with all conditions of the Water Pollution Control Act, the Water Quality Act of 1987, 40 CFR Part 32, Drug-Free Workplace Requirements and other related federal and state acts, as applicable.

 The foregoing certification is based on facts obtained through a diligent investigation of all pertinent matters and information attendant to the project.

**[PROPRIETORSHIP OR PARTNERSHIP ONLY]**

 Very truly yours,

WITNESS: APPLICANT:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Authorized Signature

  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**[MUNICIPALITIES, MUNICIPAL AUTHORITIES, OR CORPORATION ONLY]**

 ATTEST: APPLICANT:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Secretary President

(SEAL) Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_