

## **REQUEST FOR PROPOSALS WATER REVENUE BONDS OF THE CORPORATION OF HARPERS FERRY**

The Corporation of Harpers Ferry (the “Issuer”) is requesting proposals from banks and other qualified entities in connection with its Water Revenue Bonds, Series 2024 (the “Bonds”) being issued by the Issuer to finance a portion of the costs of its water system improvements project and costs of issuing such Bonds. The Issuer desires to receive proposals for the purchase of such Bonds in an original aggregate principal amount not to exceed \$700,000 with a fixed interest rate and terms (maturity dates) of up to 11 and 16 years, respectively, with an initial interest only period of one year included at the beginning of such terms.

The estimated cost of the project, including issuance costs, is \$3,333,350, up to \$700,000 of which will be paid with proceeds of the Bonds, \$2,475,000 will be paid with an Economic Enhancement Grant and the remaining balance will be paid with funds of the Issuer available for such purpose.

**THE BONDS WILL BE LIMITED OBLIGATIONS OF THE ISSUER PAYABLE ONLY FROM THE GROSS REVENUES OF THE WATER SYSTEM OF THE ISSUER. THE BONDS AND ANY OTHER OBLIGATIONS, AGREEMENTS, COVENANTS OR REPRESENTATIONS CONTAINED IN THE BOND ORDINANCE OR OTHER DOCUMENTS RELATING TO THE BONDS SHALL NEVER CONSTITUTE AN INDEBTEDNESS OF THE STATE OF WEST VIRGINIA AND SHALL NEVER CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE STATE OF WEST VIRGINIA OR THE ISSUER, EXCEPT AS EXPRESSLY PROVIDED IN THE BONDS PAYABLE SOLELY FROM SUCH GROSS REVENUES.**

The Bonds will be issued on parity with the following outstanding Water Revenue Bonds of the Issuer: (i) Water Revenue Bonds, Series 1986 A, dated December 19, 1986, issued in the original aggregate principal amount of \$611,912; (ii) Water Revenue Bonds, Series 2008 (United States Department of Agriculture), dated March 13, 2008, issued in the original aggregate principal amount of \$350,000; and (iii) Water Revenue Bonds, Series 2021 (United States Department of Agriculture), dated March 11, 2021, issued in the original principal amount of \$6,300,000.

Interest on the Bonds will be excludable from the gross income of the owner(s) thereof for federal and West Virginia state income tax purposes and will be “bank qualified” meaning that the Bonds will be “qualified tax-exempt obligations” as described in Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

A debt service reserve fund will be established by the Issuer with the West Virginia Municipal Bond Commission and will be funded with deposits equal to ten percent (10%) of the payments of principal and interest due on the Bonds until there is an amount on deposit in the debt service reserve fund equal the maximum annual debt service on the Bonds.

### **CONTENTS OF PROPOSALS**

Proposals responsive to this request should contain at a minimum the following information:

1. The interest rate or rates on the Bonds (the interest rate or rates must be fixed for the entire term of the Bonds).

2. The Issuer would like to receive proposals for terms (maturity dates) of the Bonds of up to 11 and 16 years, respectively, and with an initial interest only period of one year at the beginning of such terms. Proposals are not required to include both of those terms.

3. Amortization schedule(s) for the Bonds.

4. A list of all costs of issuance relating to the issuance of the Bonds, exclusive of Bond Counsel and Issuer's Counsel which have already been retained by the Issuer.

5. A list of all professionals, e.g., bank's counsel, etc., to be involved in the issuance of the proposed Bonds, assuming Bond Counsel and Issuer's Counsel have already been retained by the Issuer.

6. Whether payments will be made on the Bonds monthly, quarterly, semi-, or annually (the Issuer would prefer monthly payments on the Bonds).

7. Any debt service coverage requirements, other financial covenants or other conditions that will be required with respect the Bonds.

8. Whether there will be any prepayment penalties or redemption premiums and, if so, the amount of any such prepayment penalties or redemption premiums and the periods to be covered thereby.

9. Whether the proceeds of the Bonds can be advanced only when needed or will be advanced in their entirety at closing.

10. Any other information that you believe to be relevant to the Issuer's consideration of your proposal.

Those responding to this Request for Proposals are welcome to submit multiple or alternative proposals if they so desire.

Responses should be submitted in a manner to be received by the Issuer, to the attention of Deborah Kelly, Financial Officer, Corporation of Harpers Ferry, P. O. Box 217, 1000 W. Washington Street, Harpers Ferry, West Virginia 25425 or by confirmed email to [dkelly@harpersferrywv.us](mailto:dkelly@harpersferrywv.us) no later than 3:00 p.m. on Thursday, February 29, 2024. Questions regarding this proposal, including without limitation requests for information on the water system of the Issuer, should be directed to Deborah Kelly, Financial Officer of the Corporation of Harpers Ferry, at 304-535-2206, Extension 3, by email to [dkelly@harpersferrywv.us](mailto:dkelly@harpersferrywv.us), or to the address of the Issuer set forth above.

The Issuer will not be responsible for any expenses incurred in the preparation and/or presentation of the proposals and oral interviews, if conducted, or for the disclosure of any information or material received in connection with this solicitation, whether by negligence or otherwise. The Issuer reserves the right to reject any and all proposals, with or without cause,

and waive any irregularities or informalities in the proposals. The Issuer further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all parties submitting proposals. In the event all proposals are rejected, the Issuer reserves the right to solicit additional proposals.