

**ATTACHMENT A - REQUEST TO INITIATE PROJECT/ACTIVITY**

PROJECT/CASE NUMBER:

DATE OF ORIGINAL ISSUE:

CFDA No.: 14.218

ORIGINAL:

REVISION No.:

TARGET AREA:

DATE OF REVISION:

Pursuant to the terms of the Delegate Agency Agreement between Department of Community Development and Housing (CDH), and the City of Chino, effective July 1, 2027, CDH hereby requests that the following project/activity be initiated. There will be no changes in Project/Activity Title, Activity Budget (Attachment A) or in the Activity Description (Attachment B) without written approval of CDH Director.

PROJECT/ACTIVITY TITLE:

ACTIVITY LOCATION:

TOTAL PROJECT FUNDING: \$ \_\_\_\_\_

CITY CDBG ALLOCATION

RELEASED: \$ \_\_\_\_\_

CITY CDBG FUNDS

EXPENDED AS OF \_\_\_\_\_: \$ \_\_\_\_\_

DATE OF RELEASE OF FUNDS:

**BALANCE OF FUNDS AVAILABLE:** \$ \_\_\_\_\_

SCHEDULE OF CITY CDBG ALLOCATION:

Year 52	Year 53	Year 54	Year 55	Year 56	Year 57	Year 58	
# _____	# _____	# _____	# _____	# _____	# _____	# _____	<b>TOTAL OF</b>
<u>(75-2027)</u>	<u>(2027-28)</u>	<u>(2028-29)</u>	<u>(2029-30)</u>	<u>(2030-31)</u>	<u>(2031-32)</u>	<u>(2032-33)</u>	<b><u>58 YEARS</u></b>
\$ N/A	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

MAINTENANCE AND OPERATION BUDGET/AGREEMENT:

OTHER PERTINENT INFORMATION:

**ACCEPTANCE OF REQUEST TO INITIATE PROJECT/ACTIVITY**

I hereby acknowledge the receipt of the Request to Initiate the above Project/Activity and agree to implement the activity described in Attachment B (Project/Activity Description) in accordance with the above Allocation and Balance of Funds Available subject to necessary approvals of the Board of Supervisors. The proposed budget for this project is as follows:

LAND ACQUISITION: \$ \_\_\_\_\_

PURCHASE OF EQUIPMENT: \$ \_\_\_\_\_

STAFF COST RELATED

CONSTRUCTION COST: \$ \_\_\_\_\_

TO LAND ACQUISITION: \$ \_\_\_\_\_

CITY STAFF COST: \$ \_\_\_\_\_

DESIGN: \$ \_\_\_\_\_

CONTINGENCY: \$ \_\_\_\_\_

CONSULTANT SERVICES: \$ \_\_\_\_\_

**TOTAL CITY CDBG ALLOCATION AVAILABLE:** \$ \_\_\_\_\_

IMPLEMENTING CITY: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

SAN BERNARDINO COUNTY

\_\_\_\_\_  
CDH Director

DATE: \_\_\_\_\_

**ATTACHMENT B - PROJECT/ACTIVITY DESCRIPTION**

PROJECT/CASE NUMBER:

DATE OF ORIGINAL ISSUE:

CFDA No.: 14.218

ORIGINAL: REVISION No.:

TARGET AREA:

DATE OF REVISION:

PROJECT/ACTIVITY TITLE:

ACTIVITY LOCATION:

ACTIVITY DESCRIPTION:

IMPLEMENTING CITY: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

SAN BERNARDINO COUNTY

\_\_\_\_\_  
CDH Director

DATE: \_\_\_\_\_

**Attachment C**  
SAN BERNARDINO COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT AND HOUSING  
DELEGATE AGENCY  
COORDINATION PROCEDURES

I. Introduction

The following procedures identify the actions, responsibilities, and sequence of events for Community Development Block Grant, hereinafter referred to as "CDBG", funded projects being implemented by a coordinated effort between the San Bernardino County Department of Community Development and Housing, hereinafter referred to as "CDH," and the Delegate Agency (City), hereinafter referred to as "DA". For each action or event listed in Section III of this attachment, the entity responsible for carrying out that action or event is referenced beside it. Section IV contains regulations and statutes applicable to CDBG funded activities.

II. Authorization to Proceed

**The DA is not authorized to expend funds or to initiate CDBG projects until authorized to do so in writing by CDH.** Contract procurement shall be governed by all Federal regulations and statutes, as amended, listed in Section IV of the Attachment. CDH payments of DA Requests for Reimbursement will be subject to DA submittal of a complete reimbursement report package as listed in Section III, D-20.

A. Project/Activity Budget

Each project activity is initiated by an Attachment "A". The Attachment "A" is released when the project/activity is ready to be implemented and subsequent to environmental clearance and release of funds from HUD. It specifies the total funding allocation for the project/activity, the portions currently released and available to expend, the budget categories, the allocation will be expended under, and the entity responsible for maintenance and operation of the completed project.

In accepting the Attachment "A" the DA is to complete an estimated budget showing the allocation distribution to design costs, staff costs, construction costs, etc. This breakdown may also include a contingency or inflation factor not to exceed 10% of the total activity allocation.

Approval to change the project/activity budget/funds available will come from CDH in the form of a revised Attachment "A" (and corresponding Attachment "B", if appropriate).

B. Activity Description

The activity description is forwarded to the DA as Attachment "B". The preparation of the project description, both preliminary and final, is the responsibility of the CDH Community Development Division.

The description should be specific enough for use as the scope of work funded by CDBG money in a Request for Proposal (RFP) for architectural or engineering services or for a vendor in preparing a bid. It will contain, but is not limited to, the following:

1. Title of Project/Activity
2. Activity Number
3. Specific site description
4. On- and off-site improvement description

5. Size of building
6. Fixtures list (such as stove, built-in equipment)
7. Water and sewer requirements
8. Utilities
9. Specific zoning and planning requirements
10. Specific uses of the site and/or building
11. Equipment
12. Functions

Approval to change the project/activity description will come from CDH in the form of a revised Attachment "B" (and corresponding Attachment "A", if appropriate).

CDH will complete the Attachments "A" and "B" and will send two copies each to DA for signature. Once signed and fully completed, they must be returned to CDH for signature. An original of each will be returned to DA signifying authorization to proceed with actions outlined in the following sections:

### III. Actions and Responsibilities

#### A. Property Acquisition

The DA can pursue the acquisition of real property (and related relocation requirements, if necessary) through its jurisdiction or request the County's Real Estate Services Department, hereinafter referred to as "RES", to handle the acquisition and/or relocation. If relocation is required, initiate a 90-day notice to occupant(s).

1. If DA wishes to purchase the property, the following procedures should be followed:
  - a. DA: Refers to HUD Handbook 1378 which implements the Uniform Relocation Assistance and Real Property Acquisition regulations including the Federal Relocation Assistance and Real Property Acquisition Policies Act of 1970, the Braithwaite Act of the State of California and any subsequent amendments to these acts and regulations. If relocation is required, the appropriate notices will be issued in accordance with the "Timely Notices" (49 CFR 24.203) provision of the Relocation Handbook 1378.
  - b. DA: Obtains required appraisals.
  - c. DA: Reviews required appraisals and/or leases to determine if property can be acquired within the project allocation.
  - d. DA: Sends all lease documents to CDH for approval.
  - e. DA: Sends any requests for adjustments of funds for property acquisition and/or relocation to CDH for approval.
  - f. CDH: Issues approvals in relation to "d" above and sends them to DA.
  - g. DA: Initiates lease or purchase.
  - h. DA: Sends Request for Advance of Funds to CDH, 20 working days prior to expected close of escrow, with all appropriate documentation attached.

2. If DA desires to have RES handle acquisition and/or relocation activities, the DA should follow this procedure:
  - a. DA: Submits a letter to CDH requesting that RES handle the project/activity describing in detail what property is to be acquired, giving all pertinent information, and identifying who the DA contact person is to be. If relocation is required, initiate a 90-day notice to occupant(s).
  - b. CDH: Initiates appraisal process.
  - c. RES: Obtains required appraisals.
  - d. RES: Forwards appraisals to DA.
  - e. DA: Reviews appraisals and/or leases to determine if property should be acquired and/or leased. Prepares and forwards request to CDH.
  - f. CDH: Reviews request from DA, and forwards Authorization to Proceed to RES (Note: all leases and all adjustments in project allocations must be requested and approved by CDH).
  - g. RES: Initiates purchase or lease of property. If relocation is required, the appropriate notices will be issued in accordance with the "Timely Notices" (49 CFR 24.203) provision of the Relocation Handbook 1378.

RES will work with the designated DA contact person throughout the acquisition/relocation process to assure that the DA is aware of the activities and can make any necessary decisions in relation to the activity.

**B. Architect and/or Engineer Selection**

1. The usual procedure for the selection of an architect or engineer involves a Request for Proposal (RFP) for professional services, following this process:
  - a. DA: Prepares an RFP for architectural and engineering or other consultant services.
  - b. DA: Submits draft RFP to CDH for review for contract compliance and consistency with Federal Title 24 CFR, Part 85 Section 85.36, (Procurement Standards).
  - c. DA: Incorporates CDH revisions, if any, into RFP and reviews RFPs for compliance with State, Federal, Local and CDH regulations. Requests CDH "Approval to Proceed" to Issue "RFP".
  - d. CDH: Issues to DA an "Approval to Proceed" to issue an "RFP".
  - e. DA: Advertises RFP, receives responses, interviews, requests CDH representation on selection committee and makes selection.
  - f. DA: Notifies CDH of selection. Sends back-up documentation and draft contract to CDH. Submits to CDH a "Request for Approval to Proceed" to award a "Consultant Services Contract".
  - g. CDH: Reviews final contract for compliance and issues an "Approval to Proceed" to award a "Consultant Services Contract".

h. DA: Awards Consultant Services Contract.

2. Architectural and engineering services may also be negotiated under certain situations; i.e., obtained through a sole source procurement. This is an eligible alternative requiring the following steps:

- a. DA: Determines that the situation warrants noncompetitive procurement (sole source) and that such procurement will comply with applicable federal requirements, including 2 CFR Part 200, specifically 2 CFR §200.320(c) (noncompetitive procurement), and all applicable HUD requirements.
- b. DA: Selects architect, engineer or other consultants.
- c. DA: Submits to CDH a "Request for Approval to Proceed" to award a "Sole Source Consultant Services Contract" to CDH explaining why the DA has chosen the consultant and why the competitive RFP procedure is not being used.
- d. CDH: Reviews the request and approves or denies sole source procurement request based on explanation and backup.
- e. CDH: Issues "Approval to Proceed" to award a "Sole Source Consultant Services Contract" authorization or denial of request.
- f. DA: Negotiates and awards the sole source contract.

C. Design Phase

1. DA: Monitors preparation of preliminary plans by architect.
2. DA: Notifies CDH of all public meetings with architect, five working days before event.
3. CDH/  
DA: Reviews and approves preliminary design.
4. DA: Secures all required permits and regulatory approvals.
5. DA: Secures plans, check of plans and specifications from the appropriate Building and Safety Authority.

D. Construction Phase

1. DA: Reviews and approves plans and specifications, and obtains current Federal Wage Decision from CDH or online at [https://sam.gov/search?index=wd&date\\_filter\\_index=0&date\\_rad\\_selection=ate&wdType=dbra&state=CA&county=16328&page=1](https://sam.gov/search?index=wd&date_filter_index=0&date_rad_selection=date&wdType=dbra&state=CA&county=16328&page=1), to be included in bid package.
2. DA: Forwards construction bid package and approved plans to CDH for review and approval along with a "Request for Approval to Proceed" to issue an "Invitation to Bid" for construction services. Attachment "D" - "Construction Contract Labor Compliance Provisions" must be part of the complete bid package submitted to CDH for approval.
3. CDH: Reviews and approves construction bid package for compliance with Federal and local regulations and forwards "Approval to Proceed" to invite bids with

changes (if any) to DA.

4. DA: Determines that the bid solicitation process is permitted in accordance with applicable CDBG requirements and federal procurement standards, including 2 CFR Part 200 (specifically 2 CFR §200.320), and County contracting regulations. CITY shall advertise an "Invitation to Bid" and receive bids in accordance with such requirements.
5. DA: Ten days prior to bid opening, DA makes contact with CDH and requests from CDH or obtains online at [https://sam.gov/search?index=wd&date\\_filter\\_index=0&date\\_rad\\_selection=date&wdType=dbra &state=CA&county=16328&page=1](https://sam.gov/search?index=wd&date_filter_index=0&date_rad_selection=date&wdType=dbra &state=CA&county=16328&page=1) the current Federal Wage Decision. If the Federal Wage Decision is in any way different from that issued in the original bid package, DA will issue a bid addendum and immediately forward the latest wage decision to all bidding contractors who, in turn, submit revised bids prior to the bid opening. DA shall notify CDH of any change in the Federal Wage Decision should DA use the online option above.
6. DA: Conducts bid opening and reviews bid documents submitted by the low bidder to assure compliance with County Policy 15-01, if applicable, and applicable federal requirements regarding the participation of minority, women-owned, and labor surplus area firms, including 2 CFR Part 200 (specifically 2 CFR §200.321), in the proposed construction contract. If DA has its own plan that meets such requirements, it may use this plan for bid document reviews.

During the term of the DA AGREEMENT, CITY shall not discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, age, or military and veteran status.

CITY shall comply with all applicable federal, state, and local laws, regulations, and policies relating to nondiscrimination, equal employment opportunity, and contracting, including, but not limited to, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act, and applicable U.S. Department of Housing and Urban Development (HUD) requirements, as such laws, regulations, and federal directives may be amended, superseded, or replaced and as in effect at the time of contract performance.

7. DA: Submits the low-bidder information and list of subcontractors to CDH and a "Request for Approval to Proceed" to award a "Construction Services Contract". If adjustment of funds or project description is needed, the written request for reallocation of funds (revised Attachment "A") or change in project description (revised Attachment "B") should be sent at this time.
8. CDH: Prepares revisions to Attachment "A" and/or "B" as requested (if necessary).
9. CDH: Reviews Contractor/Subcontractor's eligibility to receive Federal contracts.
10. CDH: Issues "Approval to Proceed" to award a "Construction Services Contract" to DA.
11. DA: Insures completeness of contract documents prior to award of contract. **Prime and Sub-Contractor Construction contracts must contain the Labor Compliance Contract Addendum (LCCA)**, applicable Federal Wage

Determination, and a copy of restrictions on public buildings and public works projects provisions.

12. DA: Awards Contract.
13. DA: Notifies CDH of pre-construction conference at least five (5) working days prior to event. **Prime and Sub-Contractor's labor compliance personnel must attend pre-construction conference.** Submits required CDH documents (Ex: completed bid package) prior to pre-construction meetings, including Contractor Information Sheet.
14. DA: Conducts pre-construction conference (CDH attendance mandatory). CDH sets up prime contractor on LCPtracker.
15. DA/  
CDH: DA provides CDH with a copy of signed contract which incorporates the LCCA prior to start of construction. DA ensures completion of bonds and all required labor compliance documentation is accepted in LCPtracker. CDH obtains Project Wage Rate Sheet from Prime Contractor which includes all federal labor classifications that will be utilized on the project by the Prime Contractor as well as ALL Sub-Contractors.
16. DA: Keeps an up-to-date record of all encumbrances and obligations, including staff costs incurred, to assure that the remaining balance of funds is known.
17. CDH/  
DA: Ongoing observation and monitoring of projects.
18. DA: Conducts on-site interviews with contractor employees for each trade regarding their wages. Sends original signed Record of Employee Interview (HUD-11) to CDH. CDH may require Record of Employee Interview to be entered on LCPtracker.
19. DA: Ensures contractor's submission of Weekly Certified Payroll in LCPtracker.
20. DA: Receives Contractor requests for progress payments and any other documentation of expenditures and work accomplished. DA reviews labor compliance reports in LCPtracker.
21. CDH: Reviews Contractor Weekly Certified Payroll on LCPtracker during the term of construction, including non-performance payrolls.
22. CDH: Checks wages reported on Certified Payroll forms against employee interview forms for consistency between wage rates reported by contractor and wages received by employees.
23. DA: Submits to CDH during the term of the construction contract, a report package containing:
  - Request for Reimbursement and accompanying documentation. Payments on said requests are subject to complete compliance with Federal Labor Standards.
24. DA: Notifies CDH of all meetings regarding CDH projects, such as Design Conferences, Public Meetings, meetings with Community Development Advisory Commission, and DA at least five working days before event occurs.
25. DA: Processes change orders and sends copy(ies) of proposed change order(s)

along with a "Request for Approval to Proceed" to issue a "Contract Change Order" to CDH. Must obtain approval from CDH regarding all change orders prior to authorizing the contractor to proceed with said changes.

26. DA: Notifies CDH of proposed changes in the list of subcontractor(s) and submits a "Request for Approval to Proceed" to add or delete subcontractor(s) from the approved list.
27. CDH: Revises Attachments "A" or "B", if necessary, and issues an "Approval to Proceed" to issue a "Change Order(s)" to DA.
28. DA: Notifies CDH of final inspections at least five working days before inspection date.
29. DA: Attends final inspections (CDH attendance optional).
30. DA: Secures its governing body's acceptance of completed project and filing of Notice of Completion and submits "Notice of Completion" to CDH.
31. CDH: Monitors project progress and contract compliance and issues, as necessary, "Notice to Submit Final Activity Costs" notices to DA.
32. DA: Takes necessary actions to comply with said notices.
33. CDH: Conducts "Annual Certification of Use of Facilities".

IV. DA must ensure compliance with the following regulations and statutes, as amended, in carrying out CDBG funded activities:

- A. Community Development Block Grant Regulations of the Housing and Community Development Act of 1974, as amended (24 CFR 570).
- B. Applicable Uniform Administrative Requirements:
  - 1) 2 CFR Part 200, including all applicable subparts (Administrative Requirements, Cost Principles, and Audit Requirements), and applicable U.S. Department of Housing and Urban Development (HUD) regulations and guidance.
- C. Applicable Uniform Administrative Requirements for Subrecipients that are not Governmental Entities:
- D. 2 CFR Part 200, including all applicable subparts (Administrative Requirements, Cost Principles, and Audit Requirements), and applicable U.S. Department of Housing and Urban Development (HUD) regulations and guidance. Federal Labor Standards Compliance Handbook No. 1344.1 REV-3 including:
  - 1) Davis-Bacon and Related Acts (40 USC §3141 et seq.; 29 CFR Parts 1, 3, 5, 6 and 7)
  - 2) Contract Work Hours and Safety Standards Act (40 U.S.C. §3701-3708; 29 CFR part 5)
  - 3) Copeland (Anti-Kickback) Act (18 U.S.C. 874; 29 CFR Part 3)
- E. All applicable federal, state, and local laws, regulations, and policies relating to equal employment opportunity and nondiscrimination in employment and contracting, including, but not limited to, Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act, and applicable U.S. HUD requirements, as such laws and regulations may be amended, superseded, or replaced and as in effect at the time of contract performance.
- F. Environmental Protection Agency Regulations (40 CFR Part 1500-1508)

- G. Flood Disaster Protection Act of 1973 (42 U.S.C. 4001-4128)
- H. Archaeological and Historic Preservation Act of 1974
- I. Rehabilitation Act of 1973, as amended
- J. Americans with Disabilities Act of 1990, as amended
- K. Clean Air Act (42 U.S.C. 7401 et. seq.)
- L. Clean Water Act (33 U.S.C. 1368)
- M. Section 3 Regulations of the Housing and Urban Development Act of 1968, Title 24 CFR, Part 135 (12 U.S.C. 1701u)
- N. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et. seq.)
- O. Fair Housing Act (42 U.S.C. 3601-20)
- P. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601-4655)
- Q. The Hatch Act of 1939
- R. Lead Based Paint Poisoning Prevention Act 24 CFR Part 3