



HAMILTON COUNTY

Planning + Development

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DATE: January 26, 2023 – valid until new version is released

TO: Community Officials and Contractors

FROM: Hamilton County Planning+ Development Staff

SUBJECT: Federal Contract Compliance Procedures for Community Development Block Grants (CDBG) Projects **less than \$50,000**

Notice of Funds

County staff must ensure that all projects comply with CDBG regulations and will contact you when funds have been approved for expenditure. Please **DO NOT PROCEED** with a project until you have contacted County staff. Failure to comply with all necessary processes WILL RESULT in delays and projects will have to be re-bid.

Bid or Quote Packet

When engineering is completed and the project is ready for bid, contact your Project Manager. The enclosed "bid packet" will be sent to you and must be placed in the bid document. Quotes can be used for projects estimated at \$49,999 or less. This "bid packet" includes the following information:

- Federal Contract Compliance Responsibilities
- Minority Enterprise Business (MBE) requirements if over \$25,000
- Federal Lobbying Prohibition Disclosure
- Equal Opportunity Requirements
- Labor standards provisions for contracts of \$2,000 or more;
- Current Davis Bacon Wage Decision for contracts of \$2,000 or more;
- CDBG Terms and Conditions
- Verification of Receipt of All Documents

Additional information is also provided below on the specific items listed above.

1. **Prevailing Wage/ Davis-Bacon Act (if applicable)**

For all construction contracts of \$2,000 or more, contractors must comply with the Davis-Bacon Act in the payment of prevailing federal minimum wages. Professional services contracts and construction on Single Family homes are exempt, as well as demolition project as long if there are no plans to redevelop the property.

Project Managers will provide the appropriate wage decisions when the projects are ready to be bid. **If a project does not begin within 90 days of contract signing, new wage decisions must be pulled.** Project Managers must review original copies of weekly payrolls during construction for monitoring purposes. Additionally, contractors must also comply with the Contract Work Hours and Safety Standards Act regarding compensation for overtime and safe working conditions.

County must receive all weekly payrolls, including weeks where no work was completed. If labor and fringe rates are not correct, contractor must make additional payments and submit proof of payment.

Note: If a project both has state and federal funds, the higher prevailing wage rate must be used.

2. **Selection of Contractor/Contract Signing**

All quotes must include all necessary paperwork in order to be considered complete and eligible. Please share the scope of work and quote/bid docs with your Project Manager prior to soliciting quotes; following HUD regulations is tedious but we must do so; and this will prevent the need to re-do quotes. Once quotes are received, please prepare a quote summary spreadsheet (bid tab) which includes the scope pricing, as well as documentation that all documents were completed and submitted (see below).

Municipality				
Project Name				
Contractor	Price	MBE/Subcontractor	Anti-Lobbying	Verification of Documents
Company A				
Company B				
Company C				

The Project Manager will confirm that the contractor/vendor with lowest and best quote is not listed on the Federal Debarment List.

After all requirements have been confirmed, the Project Manager will notify you and the contract may be executed. A copy of the signed contract must then be forwarded to the Community Development Office.

3. **Pre-Construction Conference (if applicable)**

The last step, prior to commencement of construction, is a pre-construction meeting with the contractor, sub-contractor(s), community representative, architect or engineer, and Project Manager. At the meeting, the Project Manager will review the scope of the project, the Federal Labor Standards and Equal Opportunity Requirements, payment processes and will resolve any special logistics, considerations or concerns.

4. **On-Site Monitoring Visit, if Davis Bacon**

Once work has begun, Davis Bacon and equal opportunity compliance will be monitored; this will include **at least one on-site employee interview**. Contractor must notify the respective *local government contact* once construction has begun. Construction progress/specs will be monitored by your community's architect or engineer on a regular basis as necessary for proper implementation of the project.

5. **Payment Procedure**

Bills for the project should be sent to the Local Government for payment who will be reimbursed by the Community Development staff. If Davis Bacon applies, community must receive approval from Program manager prior to paying any bills to ensure prevailing wage has been paid. Bills submitted by contractors must be detailed so as to give a breakdown of work performed during the billing period, as well as the

percentage of job completed (i.e. A.I.A. Document G702/3 or Prime Contractor Application for Payment and Affidavit (APCO)).

Payment for the project will be approved by the Project Manager provided all federal requirements have been met.

Please consult your Project Manager for any assistance needed in meeting these requirements, and especially before beginning your project. We will ensure compliance with Federal regulations and avoid unnecessary delays for your projects.