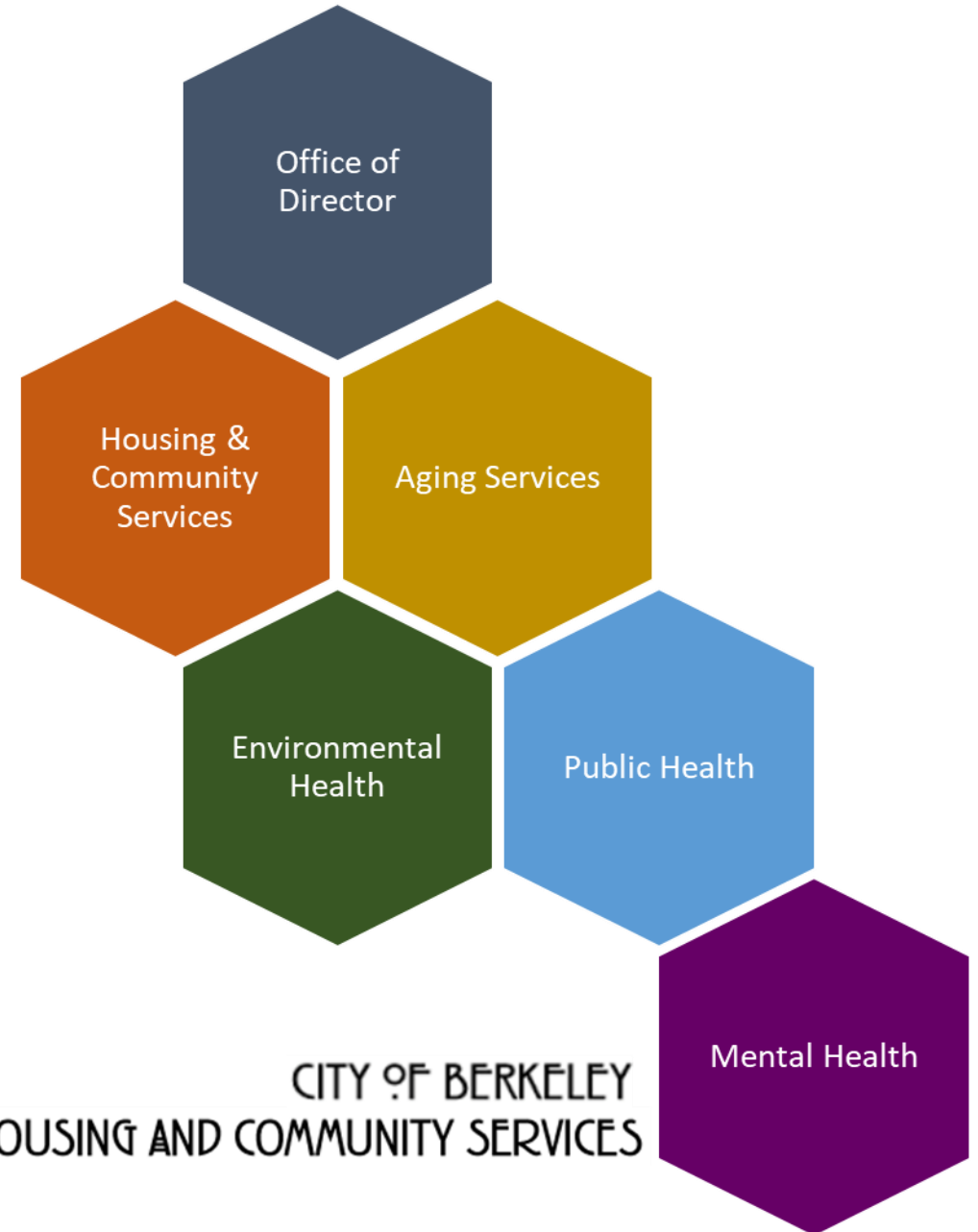




# City of Berkeley Department of Health, Housing, and Community Services

Enhancing Community Life and  
Supporting Health and Wellness  
for All





Housing &  
Community  
Services

# CDBG Public Facility Improvements NOFA

*FY 2024 (HUD PY 2023)*

July 28, 2023





# Purpose of this Workshop

1. Clarify Eligibility and Federal/Local requirements
2. Explain Application Process
3. Present Timeline for Review and Awards
4. Briefly review steps needed for contract execution, pre-construction and construction activities

## PART 1

# Program Eligibility



## **PART 1**

# **Public Facility Improvements Program Eligibility**

- ❑ **Minimum \$100,000 proposed project budget**
- ❑ **Experienced Project Manager required**

**PART 1**

# **Community Development Block Grant (CDBG)**

- ❑ **FY 2024 (PY 2023) Consolidated Plan**
- ❑ **Priority Need: Non-Housing Community Development**
  - **Improve Public Facilities**
  - **24 CFR 570.201(c)**

## **PART 1**

# **Eligible Populations**

- ❑ **EITHER serves geographic area with >51% of population low- and moderate-income**
- ❑ **OR >51% of clients served are low- and moderate-income**
- ❑ **OR Special populations presumed to be low-income**
- ❑ **You must report on this at the end of the year and/or project and provide demographic information on clients served**

## **PART 1**

# **Eligible Activities**

- ❑ **Rehabilitation**
- ❑ **Americans with Disabilities Act (ADA) improvements**
- ❑ **Non-profit and publicly owned facilities open to the public. If not owned, Agency must have a minimum of 5-year site control. Provide lease agreement or title with application.**



## **PART 1**

# **Eligible Expenditures**

- ❑ **Renovation hard costs**
- ❑ **Renovation soft costs (architect, engineer, etc.)**
- ❑ **Project management costs**
- ❑ **Permits and fees**

## **PART 1**

# **Ineligible Activities**

- ❑ **Projects not located in Berkeley**
- ❑ **Project not primarily serving low- to moderate-income Berkeley residents**
- ❑ **Renovation of administrative space only**
- ❑ **Pre-Environmental Review activities**

## **PART 1**

# **Requirement: Relocation**

- If clients or staff will need to be relocated during construction, provide a plan for how this will take place and the impact to the agency's operations**
- Berkeley local ordinance applies to temporary relocation for rental housing only**
- Federal requirements apply to transitional and permanent housing, but not to emergency shelter**

**PART 1**

# **Requirement: Section 3**

- **Efforts to Hire Section 3 Residents or Contract with Section 3 Business Concerns**

## PART 2

# Application Process



## PART 2

# Step 1: Identify the Project

- ❑ **Develop Scope of Work**
- ❑ **Contact the Permit Service Center at (510) 981-7500 to schedule an appointment to discuss permit requirements: ADA requirements, site plan, additional information needed.**
- ❑ **Request quotes from a minimum of three contractors.**  
**Provide Davis Bacon Wage Rates using <https://beta.sam.gov/>**

## PART 2

# Step 2: Apply Online with City Data Services

Application available online using City Data Services

[www.citydataservices.net](http://www.citydataservices.net)

- ❑ For those agencies that are NOT currently funded...
  - User ID: BERPF
  - Password: BERPF
  
- ❑ For those agencies that ARE currently funded...
  - Log in as usual and click “Apply for 2024”

## PART 2

# Step 2: Apply Online with City Data Services

 City of Berkeley Housing & Community Services Department  
2180 Milvia Street  
Berkeley, CA 94704  
Contact: Joshua Oehler, [joehler@cityofberkeley.info](mailto:joehler@cityofberkeley.info) 510.981.5408

You are working in FY 2024 [Change to FY 2023](#)

**Public Service**

*To view your reports, click on the link in the "Next Report" column.*

Agency	Program	Next Report	Application	Monitor Status	Last Agency Update	Last Staff Update
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**CITY OF BERKELEY**  
**Public Facility Improvement Project Application**  
**FY2020 Application**

**FOR REFERENCE PURPOSES ONLY. APPLICATIONS WILL ONLY BE ACCEPTED ONLINE AT [www.citydataservices.net](http://www.citydataservices.net)**

All questions in this application are required and should have an inputted answer. If not applicable, please enter N/A.

**A. General Information**

Agency's Name:			
Program/Project Title:			
Agency's Date of Incorporation:	<input type="checkbox"/> <b>Upload</b> Articles of Incorporation <input type="checkbox"/> <b>Upload</b> Agency Bylaws <input type="checkbox"/> N/A. Applicant is a government entity		
Agency's Office Street Address:			
Agency's Office City:		Zip:	
Executive Director's Name:			
Executive Director's Email Address:			
Executive Director's Phone Number:			
Application Contact Person's Name: <i>(Contact person must respond to questions within one business day.)</i>			
Application Contact Person's Email:			
Application Contact Person's Phone:			
Project Manager's (PM) Name:	<input type="checkbox"/> <b>Upload</b> PM Resume		
Project Manager's Phone:			
Project Manager's Contact Email:			
DUNS number: <small>You can obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) Number by registering at <a href="http://fedgov.dnb.com/webform">http://fedgov.dnb.com/webform</a></small>			
Tax-exempt 501(c)(3) status:	<input type="checkbox"/> Yes <b>Upload</b> below <input type="checkbox"/> No <input type="checkbox"/> N/A. Applicant is a government entity		
If "No", Name of Fiscal Sponsor: _____ Address of Fiscal Sponsor: _____			
Does the agency own the project site?	<input type="checkbox"/> Yes If "Yes", <b>Upload</b> Title <input type="checkbox"/> No		
Does the agency have a minimum five-year site control?	<input type="checkbox"/> Yes If "Yes", <b>Upload</b> Lease Agreement and enter Lease expiration date: _____ <input type="checkbox"/> No		

Board resolution authorizing submission of application	<input type="checkbox"/> <b>Upload</b> resolution <input type="checkbox"/> N/A. Applicant is a government entity
<b>TOTAL FUNDING REQUESTED:</b>	
<b>TOTAL Funds Leveraged for this Project:</b>	
<b>Total Project Value:</b>	

**B. Project Description and Permit Review**

Full Scope: (upload below)

1. Detailed Description of Scope (1,000 character limit): Refer to our program FAQ for additional guidance on writing your scope. The FAQ provides a sample scope.	
Please <b>Upload</b> any drawings or plans you currently have for this project.	
2. Mark all categories that apply to this project:	<input type="checkbox"/> ADA Compliance <input type="checkbox"/> Energy Efficiency <input type="checkbox"/> Health and Safety Code Issues
3. If the project includes ADA improvements, has the project site been assessed by a Certified Access Specialist (CASP) and is the proposed project included in the CASP ADA improvement plan?	<input type="checkbox"/> Yes <b>Upload</b> CASp Plan <input type="checkbox"/> No <input type="checkbox"/> N/A
4. Will this project require a permit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
a. This project requires the following permits (check all that apply):	<input type="checkbox"/> Building <input type="checkbox"/> Electrical <input type="checkbox"/> Plumbing <input type="checkbox"/> Other _____ <input type="checkbox"/> N/A. No permit required. <input type="checkbox"/> Unknown
b. If this project requires permits, does the project scope include ADA improvement at costs equal to or more than 20% of the total project value? (Enter N/A if the question is not applicable.)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A. Note: This only applies to projects that do not require a permit and is therefore exempt from the 20% cost allocation rule.
5. Has this scope been reviewed by City of Berkeley Permit Service Center staff?	<input type="checkbox"/> Yes (Proceed to question 5.a.) <input type="checkbox"/> No (Proceed to question 5.b.)

## **PART 2**

# **Step 2: Attachments**

- ❑ **Detailed Full Scope of Work**
- ❑ **3 Project Cost Estimates that...**
  - **Cover full scope of work in detail including any planned barrier removal measures (ADA access)**
  - **Include Davis Bacon Wages**
  - **Include allowances for permits and fees**
  - **Less than 90 days old**

## **PART 2**

# **Step 2: Attachments**

- ❑ **Design: Professionally drawn floors plans and specifications (min. sheet size 11”x17”) to scale**
- ❑ **Photographs of the areas to be renovated**
- ❑ **Evidence of site control**

## **PART 2**

# **Step 3: Application Review & Awards**

- Project Feasibility**
- Project Readiness**
- Leveraged Funding**
- Total Cost**
- Agency/Project Manager Experience**
- Past Performance**
- Impact to low- to moderate-income clients**
- Site control (5-year minimum)**

## PART 2

# Step 3: Evaluation & Awards

- ❑ If awarded funding, project must **NOT** begin until *after* the environmental review is completed and contract is executed with City
- ❑ No costs incurred before the contract is executed will be reimbursed

## PART 3

# Timeline



**PART 3**

# Timeline

<b>When</b>	<b>What</b>
<b>July 19, 2023</b>	<b>Application available for submission via City Data Services</b>
<b>July 28, 2023</b>	<b>NOFA Workshop</b>
<b>Monthly according to HAC CDBG Subcommittee and full HAC schedule</b>	<b>Housing Advisory Commission (HAC) review and make funding recommendations to City Manager/Council</b>
<b>Ongoing according to Council schedule</b>	<b>For projects at and above \$200,000 Council considers City Manager and HAC funding recommendations</b>

## PART 4

# If Awarded...





## **PART 4**

# **Predominant Regulations**

- ❑ **CDBG, HUD and Federal Regulations**
  - **Playing by the Rules: A Handbook for Subrecipients on Administrative Systems**
- ❑ **National Environmental Protection Act (NEPA)**
  - **24 CFR Part 58**
- ❑ **Procurement Standards**
  - **2 CFR 200**
- ❑ **CDBG Timeliness Test**
  - **24 CFR 570.902**

## **PART 4**

# **Phase 1: Pre-Construction**

## **Contract with the City of Berkeley**

- ❑ **Submit scope and budget, including drawings**
- ❑ **Contract and certification signature**
- ❑ **Be aware of all federal and local regulations that contractors need to abide by**
- ❑ **Other City Departments enter into MOU with Housing & Community Services Department**

## PART 4

# Phase 1: Pre-Construction

- ❑ Obtain permits (if not already complete)
- ❑ Bid Out Construction
  - City will provide new Davis Bacon Wage Decision
- ❑ Follow Procurement Requirements:
  - For >\$25,000, competitive sealed bids
  - Outreach to Berkeley, MBW/WBEs, and Section 3
  - Summarize procurement process in a memo to staff and indicate chosen contractor and any subs, including license number. City Staff will verify that contractor is eligible to perform work.

## **PART 4**

# **Step 1: Project Cost Estimates (Quotes) from MBE / WBEs**

- ❑ **MBE/WBEs – Minority and Women-owned Businesses (51% or greater)**
- ❑ **Outreach to them by:**
  - **Incorporating them in lists of contractors that you solicit for bids**
  - **Require general (prime) contractors to do so**
  - **You must report on this when submitting a summary of the bid process and in a final year-end report (HUD 2516 Report)**

## PART 4

# Phase 1: Pre-Construction

- ❑ Enter into Contract with Contractor
- ❑ Always reference insurance and pass down local and federal requirements in contracts, including Davis-Bacon Wage Decision Number and Modification Number and classifications working on project.
- ❑ Attach HUD Form 4010 Federal Labor Standards Provisions
- ❑ Section 3

## **PART 4**

# **Phase 1: Pre-Construction**

- **At the Pre-Construction Conference, the City Monitor meets with Agency and Contractor to discuss...**
  - **Federal Labor Requirements**
  - **Procedure for requesting payment**
  - **On-site monitoring**
  - **Section 3**

## **PART 4**

# **Phase 2: Construction & Monitoring**

- **Monitoring staff will:**
  - **Perform site visits during construction**
  - **Need unrestricted access**
  - **Ensure work completed matches payroll and invoices**
  - **Review payrolls**
  - **Interview construction workers**
  - **Process payments**
  - **Review and Approve Change Orders**

## **PART 4**

# **Phase 2: Construction & Payments**

- Processing Invoices:**
  - Use Payment Voucher Cover sheet**
  - Attach all invoices**
  - Conditional Lien Waivers for all payments**
  - Payrolls must be weekly and up-to-date**



## **PART 4**

# **Phase 3: Payments & Completion**

- **Final Payment will be disbursed if...**
  - **All vouchers are in order**
  - **Payrolls are complete and no restitution is required**
  - **An Unconditional Lien Waiver is received**
  - **Final permits are submitted**
  - **Lead Clearance conducted (if applicable)**
  - **HUD 2516 Report is Submitted**
  - **Notice of Completion is Submitted**

# Questions?

## City of Berkeley CDBG webpage

<https://berkeleyca.gov/community-recreation/community-services/community-development-block-grant-funding>

Mary-Claire Katz, [mkatz@berkeleyca.gov](mailto:mkatz@berkeleyca.gov)

