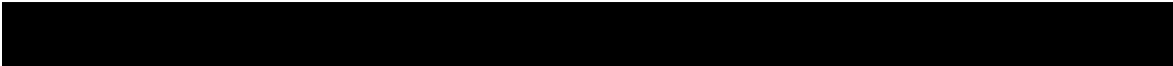


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Procurement



2 CFR 200 Cross walk

2 CFR 200 Reference	Requirement	State Policy Alternative or specific CDBG regulatory reference	Requirement
Subpart A 200.0 – 200.99	Acronyms and Definitions	Adopted by State	
Subpart B 200.100 – 200.113	General Provisions	Adopted by State	
Subpart C 200.200 – 200.201	Purpose and Use of Grant Agreements	Not Applicable to State	
Subpart C 200.202	Requirements to provide public notice	Applicable to State	
Subpart C 200.203 – 200.206	Notices of funding opportunities, federal agency review, standard applications	Not Applicable to State	
Subpart C 200.207	Specific Conditions	Applicable to State, made applicable by 24 CFR 570.485(d)	
Subpart C 200.208 – 200.213	Certifications, etc.	Not Applicable to State	
Subpart D 2 CFR 200.300	Statutory and national policy requirements	Adopted by State	
Subpart D 2 CFR 200.301	Performance Measurements	Management Guide	Performance and financial information collected via IowaGrants. Performance goals, reporting frequency, indicators and milestones in Grant Contracts and IowaGrants.
Subpart D 2 CFR 200.302 - 304	Financial Management, Bonds, Internal controls	Adopted by State	

2 CFR 200 Reference	Requirement	State Policy Alternative or specific CDBG regulatory reference	Requirement
Subpart D 2 CFR 200.305	Payment	Management Guide	Grant recipient's payment made on a reimbursement basis only. Request of Payment collected via IowaGrants. State follows CMIA agreement and default procedures. State has criteria to withhold payment for non-compliance as necessary.
Subpart D 2 CFR 200.306	Cost Sharing or Matching	Not Applicable to State per 24 CFR 570.502 (a)(2)	
Subpart D 2 CFR 200.307	Program Income	24 CFR 570.489(e) & (f)	Definition, program income paid to the state, and program income retained by the unit of local government
Subpart D 2 CFR 200.308	Revision of Budget and Program Plans	Not Applicable to State per 24 CFR 570.502 (a)(4)	
Subpart D 2 CFR 200.309	Period of Performance	Adopted by State	
Subpart D 2 CFR 200.310	Insurance Coverage	Adopted by State	
Subpart D 2 CFR 200.311	Real Property	24 CFR 570.505	Use of real property
Subpart D 2 CFR 200.312	Federally Owned and Exempt Property	Not Applicable	
Subpart D 2 CFR 200.313 – 200.316	Equipment, Supplies, Intangible property, property trust relationship	Adopted by State. Except that when the equipment is sold, the proceeds shall be program income. Equipment not needed by the subrecipient for CDBG activities shall be transferred to the recipient for the CDBG program or shall be retained after compensating the recipient.	
Subpart D 2 CFR 200.317	Procurement by States: 24 CFR 570.489 (g)	IAC 11.117.1(2) & 11.118.2(8A)	The department and agencies shall follow procurement policies regardless of the funding source supporting the procurement.

2 CFR 200 Reference	Requirement	State Policy Alternative or specific CDBG regulatory reference
Subpart D 2 CFR 200.318	General Procurement Standards	Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Subpart D 2 CFR 200.319	Competition	Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Subpart D 2 CFR 200.320	Methods of Procurement to be followed	Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
2 CFR 200.322	Procurement of Recovered Materials	Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Subpart D 2 CFR 200.323	Contract cost and price	Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Subpart D 2 CFR 200.324	Federal Awarding Agency or Pass-through entity review	Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Subpart D 2 CFR 200.325	Bonding requirements	Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Subpart D 2 CFR 200.326	Contract Provisions	Sub-recipients only: Community Development Block Grant Recipients Procurement Policy

2 CFR 200 Reference	Requirement	State Policy Alternative or specific CDBG regulatory reference	Requirement
Subpart D 2 CFR 200.327	Financial Reporting	Management guide	Performance and financial information collected via IowaGrants. Performance goals, reporting frequency, indicators and milestones in Grant Contracts and IowaGrants.
Subpart D 2 CFR 200.328	Monitoring and Reporting Program Performance	Management guide	Monitoring and reporting by grantees
Subpart D 2 CFR 200.329	Reporting on Real Property	Management guide	Method and frequency of reporting on the status of real property in which the federal government retains an interest.
Subpart D 2 CFR 200.330 – 200.332	Subrecipient and Contractor Determinations, Requirements for pass through entities, Fixed amount subawards,	Applicable to state. Applicable by 24 CFR 570.489 (m)	
Subpart D 2 CFR 200.333	Retention requirements for records	Adopted by state also 24 CFR 570.490 record keeping requirements	
Subpart D 2 CFR 200.333	Request for transfer of records	Adopted by state also 24 CFR 570.490 record keeping requirements	
Subpart D 2 CFR 200.337 – 2 CFR 200.345	Restriction on public access to records, Remedies for noncompliance Termination, Notification of termination requirement, Opportunities to object, hearings and appeals, Effects of suspension and termination, Close-out, Post-closeout adjustments and continuing responsibilities, and collections of amounts due	Adopted by state. Close-out with subrecipients in accordance with 24 CFR 470.489(i) are outlined in the Policy and Procedure manual.	

2 CFR 200 Reference	Requirement	State Policy Alternative or specific CDBG regulatory reference	
Subpart E 2 CFR 200.402 – 200.406	Composition of costs, factors affecting allowability of costs, reasonable costs, allocable costs, applicable credits	Adopted by State	
Subpart E 2 CFR 200.407	Prior written approval	24 CFR 570.489(P)	All cost items described in 2 CFR part 200, subpart E, that require Federal agency approval are allowable without prior approval of HUD, to the extent that they otherwise comply with the requirements of 2 CFR part 200, subpart E, and are otherwise eligible, except for the following: (1) Depreciation methods for fixed assets shall not be changed without the express approval of the cognizant Federal agency (2 CFR 200.436). (2) Fines, penalties, damages, and other settlements are unallowable costs to the CDBG program (2 CFR 200.441). (3) Costs of housing (e.g., depreciation, maintenance, utilities, furnishings, rent), housing allowances, and personal living expenses (goods or services for personal use) regardless of whether reported as taxable income to the employees (2 CFR 200.445). (4) Organization costs (2 CFR 200.455).
Subpart E 2 CFR 200.408 – 200.475	Remainder of Subpart E cost principles: Direct and Indirect Costs, Special considerations, general provisions for selected items of Cost	Adopted by state, with exception to those issues that require prior written approval noted above.	
Subpart F 2 CFR 200.500 – 521	Audit Requirements	Adopted by state	

Appendix II to Part 200 – Contract Provisions

Appendix II (B)	All contracts in excess of \$10,000 must address termination for cause and for convenience	IAC 11.119.4(4)	IEDA contracts address through Termination clause(s) provisions. Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Appendix II (C)	Equal Employment Opportunity	IAC11.121.1; 216 and; section 19B.7	IEDA contracts address through Compliance with EEO/AA Provisions. Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Appendix II (D)	Davis-Bacon Act, as amended (40 U.S.C. 3141-3148).		IEDA will not be awarding construction contracts. Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Appendix II (E)	Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers		IEDA will not be awarding contracts in excess of \$100,000 that involve the employment of mechanics or laborers and compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Sub-recipients only: Community Development Block Grant Recipients Procurement Policy
Appendix II (F)	Rights to Inventions Made Under a Contract or Agreement.		IEDA contracts address through Federal Government Rights in an attachment for Additional Requirements for Federally-funded Agreements. Sub-recipients only: Community Development Block Grant Recipients Procurement Policy

2 CRF 200 Reference	Requirement	State Policy Alternative or specific CDBG regulatory reference	Requirement
Appendix II (G)	Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards		<p>IEDA does not anticipate itself awarding of procurement contracts excess of \$150,000. However, IEDA includes Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended in an attachment for Additional Requirements for Federally-funded Agreements in all agreements</p> <p>Sub-recipients only: Community Development Block Grant Recipients Procurement Policy</p>
Appendix II (H)	Mandatory standards and policies relating to energy efficiency		<p>Currently the State of Iowa does not have a state energy plan that relate to energy efficient guidelines.</p> <p>Sub-recipients only: Community Development Block Grant Recipients Procurement Policy</p>
Appendix II (I)	Debarment and Suspension (Executive Orders 12549 and 12689)	IAC 117.18(8A)	<p>IEDA: Formal Request for Proposals bidders are required to sign a certification the contractor nor any of its principals: (a) are presently or have been debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal Agency or State Agency; (b) have within a three year period preceding this Proposal been convicted of, or had a civil judgment rendered against them for commission of fraud, a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, violation of antitrust statutes; commission of embezzlement, theft, forgery, falsification or destruction of records, making false statements, or receiving stolen property; (c) are presently indicted for or criminally or civilly charged by a government entity (federal, state, or local) with the</p>

			<p>commission of any of the offenses enumerated in (b) of this certification; and (d) have not within a three year period preceding this Proposal had one or more public transactions (federal, state, or local) terminated for cause.</p> <p>IEDA and all sub-recipients check the SAM database before contract award.</p> <p>Sub-recipients only: Community Development Block Grant Recipients Procurement Policy</p>
Appendix II (J)	Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification.		<p>IEDA contracts address through Certification Regarding Government-Wide Restriction on Lobbying in an attachment for Additional Requirements for Federally-funded Agreements.</p> <p>Sub-recipients only: Community Development Block Grant Recipients Procurement Policy</p>

Community Development Block Grant Subrecipients Procurement Policies and Procedures

2 *CFR* 200.317 provides that subrecipients of a state that is administering federal funds will follow sections 200.318 (General procurement standards) through 200.326 (Contract provisions). However, 24 *CFR* 570.489(g), set out in full below, enables states that administer Community Development Block Grant funds to adopt procurement standards other than those set out in 2 *CFR* Part 200 for units of local government that are subrecipients of CDBG funds.

24 CFR 570.489 (g) Procurement. When procuring property or services to be paid for in whole or in part with CDBG funds, the State shall follow its procurement policies and procedures. The State shall establish requirements for procurement policies and procedures for units of general local government, based on full and open competition. Methods of procurement (e.g., small purchase, sealed bids/formal advertising, competitive proposals, and noncompetitive proposals) and their applicability shall be specified by the State. Cost plus a percentage of cost and percentage of construction costs methods of contracting shall not be used. The policies and procedures shall also include standards of conduct governing employees engaged in the award or administration of contracts. (Other conflicts of interest are covered by § 570.489(h).) The State shall ensure that all purchase orders and contracts include any clauses required by Federal statutes, Executive orders, and implementing regulations. The State shall make subrecipient and contractor determinations in accordance with the standards in 2 *CFR* 200.330.

The State of Iowa, in its administration of the CDBG, hereby establishes the following procurement standards for subrecipients of CDBG funding that are units of local government.

Procurement Standards

General (Replaces 2 *CFR* 200.318)

Subrecipients of the CDBG program must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

The subrecipient alone shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the subrecipient of any contractual responsibilities under its contracts.

Responsible unit: IEDA project managers verified via monitoring.

Conflicts of interest in awarding contracts (Replaces 2 *CFR* 200.318)

The subrecipient must maintain written standards of conduct covering and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the subrecipient may neither solicit nor accept

gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

If the subrecipient has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

IEDA may terminate contracts with any CDBG subrecipient that violates this policy and may require full repayment of funds issued to the subrecipient.

Responsible unit: IEDA project managers verified via monitoring.

Best Cost (Replaces 2 CFR 200.318)

The subrecipient's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

The subrecipient is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

responsible unit: IEDA project managers verified via monitoring and/or state auditor.

Responsible Contractors (Replaces 2 CFR 200.318)

The subrecipient must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

Awards must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

The subrecipient must maintain records sufficient to detail the history of procurement.

These records will include, but are not necessarily limited to the following:

1. rationale for the method of procurement
2. selection of contract type
3. contractor selection or rejection
4. the basis for the contract price.

responsible unit: IEDA project managers verified via monitoring and/or state auditor. SAM verification checked by IEDA Audit Coordinator via submitted IowaGrants form.

Competition (Replaces 2 CFR 200.319)

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals shall be excluded from competing for such procurements. IEDA will consider requests for waivers of this provision. The subrecipient must make a sufficient showing that the number of contractors that provide the goods or services is

insufficient that it is necessary to not exclude contractors that developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals.

Examples restrictions on competition include but are not limited to:

- (1) Placing unreasonable requirements on firms in order for them to qualify to do business;
- (2) Requiring unnecessary experience and excessive bonding;
- (3) Noncompetitive pricing practices between firms or between affiliated companies;
- (4) Noncompetitive contracts to consultants that are on retainer contracts;
- (5) Organizational conflicts of interest;
- (6) Specifying only a “brand name” product instead of allowing “an equivalent” product to be offered and describing the performance or other relevant requirements of the procurement; and
- (7) Any arbitrary action in the procurement process.

The subrecipient must conduct procurement in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal or State of Iowa law expressly mandates or encourages geographic preference. Nothing in this section preempts state licensing laws.

When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion, provided that an appropriate number of qualified firms remain, given the nature and size of the project, to compete for the contract.

The subrecipient must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

- (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided. When it is impractical or not reasonably feasible to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
- (2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Responsible unit: IEDA project managers verified via monitoring and/or state auditor

Types of Procurement (Replaces 2 CFR 200.320)(based on Iowa Code section 11.118)

1. **Small:** Estimated annual value does not exceed \$5,000 and does not exceed \$15,000 for multiyear contracts: For supplies and services only. The subrecipient does not need to solicit competitive quotations if the subrecipient considers the price to be reasonable. To the extent practicable, the subrecipient must distribute such procurement equitably among qualified suppliers.

2. **Simple:** Estimated annual value exceeds \$5,000 but less than \$50,000 per year and does not exceed \$150,000 for multiyear contracts: For non-engineering and architectural services and supplies only. The subrecipient may use an informal competitive selection process to engage a service provider. Informal selection means price or rate quotations must be obtained from an adequate number of qualified sources. The subrecipient may contact the prospective service providers in person, by telephone, fax, email or letter. The subrecipient should solicit at least three prospective service providers. The sub recipient must justify, to IEDA's satisfaction, contacting fewer than three service providers. The justification shall be included in the contract file.
3. **Professional:** Estimated annual value exceeds \$50,000 per year and exceeds \$150,000 for multiyear contracts: For supplies and services and ALL engineering and architectural services, a subrecipient shall use a formal *competitive selection* process to procure the goods or services.
4. **Sealed bids:** (formal advertising): The sealed bid method is the preferred method for procuring construction. Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price. A complete, adequate, and realistic specification or purchase description will be developed before bidding.

The following requirements apply:

1. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, and the invitation for bids must be publicly advertised (not required for nonprofit entities);
2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
3. All bids will be opened at the time and place prescribed in the invitation for bids, and the bids must be opened publicly;
4. The subrecipient shall enter into a firm fixed price contract award with the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
5. Any or all bids may be rejected if there is a sound documented reason.

Competitive Selection Process: The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when a sealed bidding process is not appropriate. If this method is used, the following requirements apply:

- (1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- (2) Proposals must be solicited from an adequate number of qualified sources;
- (3) The subrecipient must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
- (4) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
- (5) The subrecipient may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Noncompetitive proposals: Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- (1) The item is available only from a single source. This type of procurement is referred to as sole-source procurement;
- (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- (4) After solicitation of a number of sources, competition is determined inadequate. This type of procurement is referred to as single-source procurement.

Responsible unit: IEDA project managers verified via monitoring and/or state auditor

Targeted Small Businesses – Minority, Disabled, and Woman Owned Businesses
(Replaces 2 CFR 200.321)

The subrecipient must take all necessary affirmative steps to ensure that minority businesses, women's business enterprises, businesses owned by disabled persons, and labor surplus area firms are used when possible.

Affirmative steps must include:

- (1) Placing qualified small and minority businesses, small women's business enterprises, and small businesses owned by disabled persons on solicitation lists.
Link to a directory of Targeted Small Businesses in Iowa:
<https://iowaeda.microsoftcrmpotals.com/tsb-search/>;

- (2) Ensuring that Targeted Small Businesses are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by Targeted Small Businesses;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by Targeted Small Businesses;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration, the Minority Business Development Agency of the Department of Commerce and the Iowa Economic Development Targeted Small Business Program <https://www.iowaeconomicdevelopment.com/tsb>; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

Responsible unit: IEDA project managers verified via monitoring

Recycled Content and Products (Replaces 2 CFR 200.322)

When appropriate, specifications shall include requirements for the use of recovered materials and products.

The specifications shall not restrict the use of alternative materials, exclude recovered materials, or require performance standards that exclude products containing recovered materials unless the subrecipient seeking the product can document that the use of recovered materials will impede the intended use of the product.

Responsible unit: IEDA project managers verified via monitoring.

Cost Analysis and Contract Price (Replaces 2 CFR 200.323)

The subrecipient must perform a cost or price analysis in connection with every procurement action in excess of the small, simple and professional acquisition thresholds, including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the subrecipient must make independent estimates before receiving bids or proposals.

The subrecipient must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the subrecipient under 2 CFR 200.402 - 406.

The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

Responsible unit: IEDA project managers verified via monitoring and/or state auditor.

Review of Procurement Documents and Procurement System (Replaces 2 CFR 200.324)

The subrecipient must make available upon request pre-procurement review; procurement documents, such as requests for proposals or invitations for bids; or independent cost estimates, when:

- (1) Requested by IEDA;
- (2) The procurement is expected to exceed the small, simple and professional acquisition thresholds and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
- (3) The procurement, which is expected to exceed the small, simple and professional acquisition thresholds, specifies a “brand name” product;

IEDA Certification: The subrecipient may request that IEDA certify that its procurement system meets these standards.

Self-certification: The subrecipient may self-certify its procurement system. Such self-certification shall not limit IEDA’s right to review and survey the system. If a subrecipient self-certifies its procurement system, the IEDA may rely on written assurances from the subrecipient that it is complying with these standards. The subrecipient must cite specific policies, procedures, regulations, or standards as compliant with these requirements and make its system available for review.

Responsible unit: IEDA project managers verified via monitoring and/or state auditor

Bonding (Replaces 2 CFR 200.325)

For construction or facility improvement contracts or subcontracts for public improvement projects and multi-family residential buildings, the minimum requirements shall be as follows:

- (a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- (b) A performance bond for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
- (c) A payment bond for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to ensure that the contractor will pay as required by law all persons supplying labor and material in the execution of the work provided for in the contract.

The subrecipient may petition IEDA to accept its bonding policy, provided that IEDA has made a determination that the Federal interest is adequately protected.

Recipients are expected to comply with all state requirements regarding bonding requirements for public improvement projects:

<https://www.legis.iowa.gov/docs/code/2019/573.pdf>

Recipients should consult with their legal counsel to determine how state requirements may impact their CDBG project.

Responsible unit: IEDA project managers verified via monitoring and/or state auditor

Contract Provisions (Replaces 2 CFR 200.326)

The subrecipient's contracts must contain the applicable provisions set out in Appendix II of the CDBG Management Guide

Responsible unit: IEDA project managers verified via monitoring and/or state auditor

SAMPLE FORM OF RESOLUTION- PROCUREMENT POLICY

CDBG recipients must adopt the IEDA CDBG procurement policies and procedures that are provided on pages 11-18 of Appendix 2 of this Management Guide.

A fillable PDF version is available at:

<https://www.iowaeda.com/cdbg/management-guide/>

(Under CDBG Management Guide- Fillable Form PDFs, Appendix 2 Files)

Instructions for procurement of services for CDBG funded projects

Local governments receiving CDBG funds must procure for services following the requirements of the procurement policy. The Iowa Economic Development Authority (IEDA) has developed these instructions to assist communities/ counties with the procurement process.

Procurement must be completed when selecting a firm for the following services:

- Engineering/architectural services (typically an RFQ for engineering/ RFP for DTR)
- Housing technical services (if CDBG award is for housing rehabilitation) (RFP)
- Grant administration (See note below) (RFP)

Note- If a local government is hiring their regional council of government/ planning commission to handle grant administration for the project, procurement is not required for those services.

The steps below can be followed when conducting procurement for any of the above referenced services.

Step 1. Establish or appoint a local Selection Review Committee

The city or county must establish a Selection Review Committee to determine the evaluation criteria and to rate proposals for services. This committee may consist of the entire local governing body (council/board of supervisors), a subset of this council/ board, as appointed by the Mayor/Chairman, or a combination of elected officials and city/county staff.

Cities/counties should have a minimum of two members on the committee.

Committee members may not have any potential conflicts of interest with any of the individuals, firms, or agencies under review (e.g., family relationships, close friendships, business dealings) and no person who might potentially receive benefits from CDBG-assisted activities may participate in the selection, award, or administration of a contract supported by CDBG funding if he or she has a real or apparent conflict of interest.

Step 2. Determine the Scope of Work

Determine the scope of work needed to complete the project. The scope of work should describe the tasks that need to be completed and may include timeframes.

IEDA has developed sample RFP/RFQ documents that may be helpful to cities/counties when developing the scope of work. Sample documents can be found here:

<https://www.iowaeconomicdevelopment.com/Community/downloads>

Include the full the Section 3 clause in all RFP/RFQ's publications

A city/county may wish to have a consultant or third party assist with the development of the scope of work. This may impact the firms or individuals that subsequently respond to the RFP/ RFQ. Please see the note below regarding the federal requirements on this issue.

Note: A consultant that intends to respond to the RFP/RFQ cannot participate in the development or drafting of specifications, requirements, statements of work, or invitations for bids or requests for proposals, including, but not limited to, the development of the scoring criteria, the final selection of firms to be contacted, or the scoring of proposals. (See 2 CFR 200.319(a))

Step 3. Determine the Selection Criteria to Evaluate Respondents

Determine what evaluation criteria will be used to rate the proposals submitted to the city/county.

IEDA sample documents include evaluation criteria, however, a city/county may revise those for their own purposes. Sample documents can be found here:

<https://www.iowaeconomicdevelopment.com/Community/downloads>

When issuing an RFQ for professional services (engineering/ architecture) cost should not be included in the selection criteria.

Note: Per the procurement policy requirements, geographic proximity cannot be included as an evaluation criteria.

Step 4. Develop the request for proposals (RFP) Package

Develop a RFP/ RFQ document to provide to potential respondents. The document should include:

- Scope of work
- Evaluation criteria & scoring
- Submission deadline and instructions for submission
- Contact information for a local point of contact (to answer questions on the RFP/RFQ)
- “Intent to Comply with Section 3 Requirements” - this form must be signed by all bidders and returned with bid documents. This form is available here: <https://www.iowaeconomicdevelopment.com/Community/downloads> (Under “Section 3 Guidance”)

When developing the RFP document, it is important to make sure the city/county is asking for the appropriate information to evaluate the proposal. For example, if one of the evaluation criteria is experience with the CDBG program, the RFP/RFQ should ask respondents to include a description of their previous work with the CDBG program.

Step 5. Check HUD Registry for Section 3 businesses

Section 3 of the Housing and Urban Development Act of 1968] is HUD’s legislative directive for providing preference to low-income residents of the local community (regardless of race or gender), and the businesses that substantially employ these persons, for new employment, training and contracting opportunities resulting from HUD-funded projects. Communities should check the HUD registry for Section 3 businesses in the county in which the project is taking place. The registry is located here: <https://portalapps.hud.gov/Sec3BusReg/BRegistry>

If a Section 3 business is located, the city should share the RFP package with that business, if the proposal is for the type of work or services that the company may provide.

Step 6. Advertise (publish) the RFP/ RFQ

Advertise RFP/RFQ in a locally distributed newspaper. This may be a paper published in the community, or a regional paper that is available locally.

When publishing the RFP/RFQ, cities/counties should allow adequate time between publication and the proposal deadline; This should allow time for firms to prepare their response. A good practice would be to allow at least two weeks from the publication date and the proposal deadline, to encourage numerous responses.

IEDA has developed sample publications for cities/counties to use. These samples are available on the IEDA website: <https://www.iowaeconomicdevelopment.com/Community/downloads>

The city/county may also send the RFP/RFQ directly to firms or individuals that may be interested in responding. Direct solicitation may increase the number of responses submitted, however, this is not a requirement.

Step 7. Review and rate proposals

After the submittal deadline, the committee should review and rate each of the proposals received. Committee members should use the evaluation criteria established in step 3 above. Each committee member should score the proposals; all scores can then be averaged to determine the highest scoring proposal. The firm with the highest average points should be selected.

Note: For RFQs, when cost is not included in the evaluation criteria, cities/counties should select the highest ranking proposal and then negotiate price with the firm. If an agreement cannot be reached regarding cost, cities/counties may move to the second highest rated proposal and attempt to negotiate cost.

Step 8. Approve the selected contractor and award contract

The City Council/Board of Supervisors should have final authority to award the contract to the selected contractor. The review committee should present a recommendation to the governing board for final approval.

A contract for services should be prepared between the city/county and the selected contractor. The council/ board of supervisors may take separate action to approve the contract for services.

Note: Before any contract is executed, the city/county should ensure that all required federal language is included in the contract. Please contact IEDA with questions regarding this language.

Step 9: Certification of Compliance

The Mayor or Chairman should sign the Certification of Compliance form, located on page 30 of this Appendix. This form certifies that the city/county complied with 2 CFR 200.319 and that procurement was conducted in a manner providing full and open competition.

Step 10: Record keeping

The city/county must maintain and make available all documentation utilized during the RFP process, including but not limited to:

- Copy of the full RFP/RFQ
- Proof of publication of the RFP/ RFQ (photo copy with publisher's identification and publisher's affidavit)

- List of firms/individuals contacted for proposals (if applicable)
- Copies of proposals received
- Scoring sheet that shows the rankings for each of the submitted proposals
- Meeting minutes indicating the council/board approved the selection of the selected firm for services
- Executed contract for services with applicable federal language
- Documentation of any correspondence with a Section 3 business
- Signed Certification of Compliance form (p. 30 of this Appendix)

**SAMPLE EVALUATION CRITERIA FOR RECIPIENT USE IN THE
PROCUREMENT OF PROFESSIONAL SERVICES
(Typically Water/Sewer Projects)**

In accordance with the procurement policy, the procurement standards applicable to all recipients, contractual agreements entered into by the recipient can only be made to responsible firms/individuals that possess the ability to perform successfully under the terms and conditions of the proposed procurement. When a recipient uses the “competitive proposals” method of procurement (used for the procurement of professional services – typically an RFP for Administration & an RFQ for engineering services), the requests for proposals or requests for qualifications need to identify all evaluation criteria and their relative importance if not equally weighted. Recipients must have a method for conducting technical evaluations of the proposals or qualifications received and for selecting awardees.

To assist recipients in formulating evaluation criteria, the following is a list of items that could be used for this purpose:

- The firm’s past experience with similar projects;
- Recipient’s familiarity with the firm;
- The firm’s availability of staff/capability of staff;
- The firm’s technical and financial resources;
- The firm’s ability to complete projects in a timely manner and within budgetary constraints;
- The firm’s integrity and compliance with public policy;
- The firm is a MBE/WBE, small, and/or within the grantee's Section 3 area (county);
- The firm is not on HUD’s or DOL’s debarred or suspended lists; and
- Cost (NOTE: In the procurement of architectural/engineering (A/E – RFQ) services, “cost” is not a consideration until after the selection process is completed. Fair and reasonable compensation is then negotiated with the selected firm(s)).

Any firm submitting a proposal MUST also submit an INTENT TO COMPLY WITH SECTION 3 REQUIREMENTS Form (found in Appendix 8)

Solicitation or procurement of these services include formal notices; mailed directly to several firms that perform said services; and, are published in the local periodical that satisfies state law as the recipients legal notification; as well as posted to applicable clearinghouses and the recipients web page, if available.

Procurement also requires formal council/board action to solicit, review, score and award the above actions.

**SAMPLE EVALUATION CRITERIA FOR RECIPIENT USE IN THE
PROCUREMENT OF ARCHITECTURAL DESIGN, CONSTRUCTION
MANAGEMENT AND/OR CONSTRUCTION ACTIVITIES
(Typically DTR, CF and Housing TA Projects)**

In accordance with the procurement policy, the procurement standards applicable to all recipients, contractual agreements entered into by the recipient can only be made to responsible firms/individuals that possess the ability to perform successfully under the terms and conditions of the proposed procurement. When a recipient uses the “competitive proposals” method of procurement (used for the procurement of professional services – typically an RFP for Administration or Technical Assistance or architectural DTR services, (RFQ typically for engineering services)), the requests for proposals or requests for qualifications need to identify all evaluation criteria and their relative importance if not equally weighted. Recipients must have a method for conducting technical evaluations of the proposals or qualifications received and for selecting awardees.

To assist recipients in formulating evaluation criteria, the following is a list of items that could be used for this purpose:

- The firm’s past experience with projects of a similar size and nature;
- Firm’s familiarity with the recipient community;
- The firm’s availability of staff & the capacity of staff;
- The firm’s available technical and financial resources;
- The firm’s past experience with state or federal funding sources;
- The firm’s past experience with historic preservation procedure, technical assistance processes and rehabilitation guidelines, as appropriate;
- The firm’s past ability to complete projects in a timely manner and within budgetary constraints;
- The firm’s past ability to accurately estimate costs;
- The firm’s integrity and compliance with public policy;
- The experience and quality of any proposed subcontracting firms
- The relevance of provided references;
- The firm’s experience with Iowa Green Streets requirements;
- If the firm is a MBE/WBE, or small, and/or within the grantee's Section 3 area (county);
- The firm is not on HUD’s or DOL’s debarred or suspended lists; and
- Cost (NOTE: In the procurement of architectural/engineering (A/E-RFQ) services, “cost” is not a consideration until after the selection process is completed. Fair and reasonable compensation is then negotiated with the selected firm(s)).

Any firm submitting a proposal MUST also submit an INTENT TO COMPLY WITH SECTION 3 REQUIREMENTS Form (found in Appendix 8)

Solicitation or procurement of these services include formal notices; mailed directly to several firms that perform said services; and, are published in the local periodical that satisfies state law as the recipient's legal notification; as well as posted to applicable clearinghouses and the recipients web page, if available. Procurement also requires formal council/board authorization to solicit, review, score and award the above actions.

Procurement Frequently Asked Questions

1. Can consultants/agencies assist communities with the procurement process?

A: If the consultant/agency plans to respond to the RFP/ RFQ for services they may NOT assist or be involved in any part of the procurement process. This includes developing procurement documents, developing scoring sheets, providing examples or templates for communities, assisting with advertising the RFP/RFQ.

If a community would like assistance or has questions regarding the RFP/ RFQ process, the consultant/ agency should refer the community to IEDA.

2. Can a Council of Governments (COG) assist a community with procurement of an engineer or architect?

A: Yes. If the consultant/ agency does not plan to respond to the RFP/RFQ, then they may provide assistance.

Because a COG would not respond to an RFP/ RFQ for engineering or architectural services, they may assist a community with procurement of an engineer or architect.

3. If a community plans to seek CDBG funding, when should they complete procurement?

A: Based on changes made in 2 CFR 200, communities should procure for ALL services at the time prior to applying for CDBG funds. This includes all engineering & architectural services, grant administration services, and technical services (if applying for CDBG housing funds):

- Communities should procure for preliminary design, final design, and construction management services at the same time, through one procurement process.
- Communities should procure for grant administration prior to applying for CDBG funds.
- Communities should procure for technical services (for housing projects) prior to applying for CDBG funds.

Note: A community may contract separately for services if those services are procured concurrently. For example, if a community procures for all engineering services for a project, the community may enter into separate contracts for preliminary design and final design. Procuring for all services at the same time would not require a city to enter into one contract for all services.

4. When is an engineer/ architect prohibited from bidding on an RFQ/RFP?

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements.

If an engineer/ architect assisted with any part of the RFP/ RFQ process, they cannot respond to that RFP/RFQ.

5. An engineer has previously prepared a study (PER or facility plan) for a community. The study discusses the proposed CDBG project, along with several other potential projects. The city is now procuring for engineering services for the CDBG project. Is the engineer that prepared the plan prohibited from responding to the RFQ?

A: If the engineer has only developed a study and has not completed project specific work, then the engineer may respond to the RFQ.

6. Where can communities find guidance on procurement for CDBG process?

A: IEDA has developed instructions for communities to use when completing procurement for a CDBG application/ project. We have also developed templates or sample RFP/ RFQ documents that communities can use. These documents are available at:

<https://www.iowaeda.com/cdbg/management-guide/>

7. Can a consultant/agency refer a community to another consultant/agency for assistance with development of RFP/ RFQ materials?

A: Yes. Consultants/agencies may refer a community to another consultant/agency for assistance with the RFP process. This would allow the referring agency to bid on the proposed work, as they would not have been involved with or provided assistance to the community.

However, to avoid conflicts of interest, the consultants/agencies must be separate entities/ organizations and may not share leadership or management roles (i.e. member of one entity serves on a board of another). Please check with IEDA on any questions you may have on this issue as it relates to potential conflicts.

SAMPLE FORM OF RESOLUTION CODE OF CONDUCT

This sample is for purposes of illustration only. Recipients are directed to develop and adopt individualized Conduct Codes as specified in the procurement policy under Conflicts of interest in awarding contracts.

PURPOSE

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with the procurement policy and other applicable federal and state standards, regulations, and laws.

APPLICATION

This Code of Conduct applies to all officers, employees, or agents of (Recipient) engaged in the award or administration of contracts supported by federal grant funds.

REQUIREMENTS

No officer, employee, or agent of (Recipient) shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner; or
An organization which employs or is about to employ any of the above; or, has a financial or other interest in the firm selected for award.

(Recipient) officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

FRAUD, WASTE AND ABUSE

(Recipient) has zero tolerance for the commission or concealment of acts of fraud, waste, or abuse. All officers, employees, or agents shall notify the (Recipient) of suspected actions. Allegations of such acts will be investigated and pursued to their logical conclusion, including legal action where warranted. Concerns may be reported to (contact at Recipient, address and phone number of contact)

REMEDIES

To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against (Recipient's) officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

Passed and adopted this _____ day of _____, _____.

(signature)

(typed name), (title)

ATTEST:

(signature)

Certification of Compliance CDBG Procurement Standards

CDBG Applicant/Recipient: _____

Application year: _____

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals **must** be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- (1) Placing unreasonable requirements on firms in order for them to qualify to do business;
- (2) Requiring unnecessary experience and excessive bonding;
- (3) Noncompetitive pricing practices between firms or between affiliated companies;
- (4) Noncompetitive contracts to consultants that are on retainer contracts;
- (5) Organizational conflicts of interest;
- (6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- (7) Any arbitrary action in the procurement process.

I certify that I am the chief elected official and that the community listed above did not violate the above competition statute when competitively procuring engineering or administrative services as part of the potential CDBG award.

Signature: _____

Printed Name: _____

Date: _____

Civil Rights and Fair Housing



CIVIL RIGHTS-FAIR HOUSING-EQUAL OPPORTUNITY APPLICABLE LAWS & REGULATIONS

Civil Rights – Fair Housing – Equal Opportunity That Apply When Using Federal CDBG funds

THE CIVIL RIGHTS ACT – Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving Federal financial assistance.

THE FAIR HOUSING ACT—Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) prohibits discrimination in housing on the basis of race, color, religion, sex, disability, familial status, or national origin. This law also mandates that you administer your program in a manner that affirmatively furthers fair housing. It was amended in 1988 to affirmatively further fair housing. **In order for you to affirmatively further fair housing, you can use the official equal housing opportunity logo on any advertising and brochures that you produce about your program, use it on your city/company letterhead, or sponsor fair housing training for landlords, real estate agents and lenders. A copy of the Equal Housing Opportunity Logo can be found in your Management Guide.**

SECTION 109, HOUSING & COMMUNITY DEVELOPMENT ACT OF 1974 provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I of the Housing and Community Development Act of 1974.

EXECUTIVE ORDERS 11625, 12432, 12138 AND OMB CIRCULAR 2 CFR part 200 provide that, you as a grantee, shall take affirmative steps to assure that small and minority businesses are utilized when possible as sources of supplies, equipment, construction and services. Paragraph 9(b) requires that the grantee take similar appropriate affirmative action in support of women's business enterprises. **In order to comply with this, you may solicit minority and women businesses by notifying the MBE/WBE clearinghouses List that is in your Management Guide. A List of Minority Business Enterprises/Women-Owned Business Enterprises is also available from the Iowa Economic Development Authority.**

SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED is HUD's legislative directive for providing preference to public housing residents and low-income residents of the local community (regardless of race or gender), and the businesses that substantially employ these persons, for new employment, training and contracting opportunities resulting from HUD-funded projects. The regulations seek to ensure that public housing residents and low- and very low- income persons, and the businesses that employ these individuals, are notified about the expenditure of HUD funds in their community and encouraged to seek opportunities, if created. **Please refer to Chapter 8 & Appendix 8 of this Guide for instructions on compliance with Section 3.**

SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED provides that no otherwise qualified handicapped individual in the United States, shall solely by reason of his/her handicap be excluded from the participation in, be denied the benefits of, or be discriminated against under any program or activity receiving Federal financial assistance. **In order to comply with section 504, it requires housing units of new construction be accessible to persons with disabilities. A minimum of 5 percent of the total dwelling units in a multi-family housing project shall be made accessible for persons with mobility impairments. An additional 2 percent of units in such a project shall be accessible for persons with hearing or vision impairments. Work closely with your architect.**

AGE DISCRIMINATION ACT OF 1975, AS AMENDED provides that no persons in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. It is not a violation of the Act for a HOME PJ or its housing partner(s) to operate elderly-only housing since the HOME statute permits such housing.

AMERICANS WITH DISABILITIES ACT (ADA). Title II of the Americans with Disabilities Act (ADA) prohibits discrimination against persons with disabilities in all programs, activities, and services of a public entity. The prohibitions against discrimination under Title II of the ADA are essentially the same as those in Section 504, except they apply to all programs, activities, and services of a public entity, not just those funded with Federal financial assistance.

EXECUTIVE ORDER 11063, as amended by Executive Order 12259 provides that no person in the United States because of race, color, sex, creed or national origin, shall be denied equal opportunity in housing and related facilities owned or operated by the Federal Government or provided with Federal financial assistance. **If you are a city or county receiving CDBG funds, the city or county must provide equal opportunity to all employees, applicants, and beneficiaries in a manner that doesn't discriminate.**

An Equal Opportunity Policy must be posted

- in a conspicuous place—such as the city hall lobby,**
- distributed to all employees, contractors, and**
- to the persons of all advisory and policy making groups**

A Sample “Equal Opportunity Policy” form can be found in the Management Guide Appendix.

EXECUTIVE ORDER 11246 provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in any phase of **employment** during the performance of Federal or federally-assisted construction contracts in excess of \$10,000.

PROHIBITION OF THE USE OF EXCESSIVE FORCE – If the recipient is a local government, it shall **adopt and enforce a policy** to prohibit the use of excessive force by law enforcement agencies within their jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and enforce state and local laws against physically barring entrance to or exit from a facility subject to nonviolent civil rights demonstrations. **There is a sample “Excessive Force Policy” in your Management Guide.**

IOWA CIVIL RIGHTS ACT OF 1965 This Act mirrors the Federal Civil Rights Act.

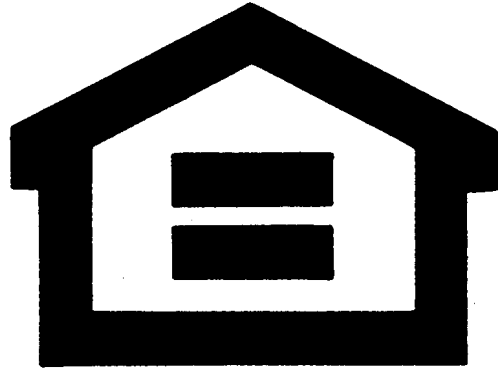
IOWA CODE SECTION 19B.7 This prohibits discriminatory and unfair practices within any program receiving or benefiting from state financial assistance in whole or in part.

Iowa Code chapter 216 Effective July 1, 2007, the Iowa Civil Rights Act was expanded to add sexual orientation and gender identity to the list of protected classes.

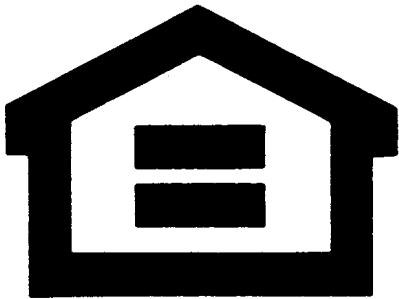
HUD Equal Housing Opportunity Slogan and Logo



**EQUAL HOUSING
OPPORTUNITY**



**EQUAL HOUSING
OPPORTUNITY**



**EQUAL HOUSING
OPPORTUNITY**



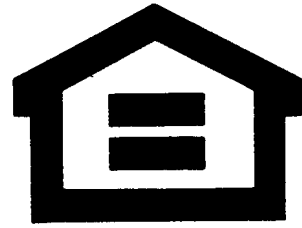
**EQUAL HOUSING
OPPORTUNITY**



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OPPORTUNITY**



**EQUAL HOUSING
OPPORTUNITY**

SAMPLE PUBLIC NOTICE AFFIRMATIVE FAIR HOUSING POLICY

This notice is published pursuant to the requirements of Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with federal assistance, and with Title VIII of the Civil Rights Act of 1968, as amended, which prohibits discrimination in the provision of housing because of race, color, creed, religion, sex, national origin, disability or familial status.

(Recipient Name, City and State) advises the public that it will administer its assisted programs and activities relating to housing and community development in a manner to affirmatively further fair housing in the sale or rental of housing, the financing of housing and the provision of brokerage services.

(Recipient Name) shall assist individuals who believe they have been subject to discrimination in housing through the resources of the Iowa Civil Rights Commission or the U.S. Department of Housing and Urban Development.

(Recipient Name) has designated the following (person or office) as the contact to coordinate efforts to comply with this policy. Inquiries should be directed to:

NAME: _____

OFFICE: _____

ADDRESS: _____

CITY/STATE/ZIP CODE: _____

PHONE NUMBER: _____

HOURS: _____

Insert: Equal Housing Opportunity Symbol (sample included on previous page)

CLEARINGHOUSES FOR SOLICITATION OF MINORITY OWNED AND FEMALE OWNED BUSINESSES

Small Business Administration District Office

210 Walnut Street, Room 749

Federal Building

Des Moines, IA 50309

Contact Person: Jayne Armstrong

515/284-4913

<http://www.sba.gov/offices/district/ia/des-moines>

Sioux City Construction League

3900 Stadium Drive

P.O. Box 3346

Sioux City, IA 51102 -3346

712/255-9730

<http://www.siouxlandconstructionalliance.com>

Illinois MBDA Business Center

216 W Jackson Blvd.

Suite 600

Chicago, IL 60606

312/755-2565

National Association of Women in Construction (NAWIC)

327 S. Adams Street

Fort Worth, TX 76104

Toll Free: 800-552-3506

Fax: 817-877-0324

Web: www.nawic.org

Iowa Chapters

#80 - Greater Des Moines

Amber Darby

515-778-6116

#160 - Cedar Rapids/Iowa City

Carol Hustad

319-848-3133

<http://www.nawicdesmoines.org>

CLEARINGHOUSES FOR SOLICITATION OF MINORITY OWNED AND FEMALE OWNED BUSINESSES

CONSTRUCTION UPDATE PLAN ROOMS

For more information, visit <http://www.mbionline.com>

Master Builders of Iowa/Construction Update Plan Room

221 Park Street
PO Box 695
Des Moines, IA 50306
Phone: 515-288-8904 or 1-800-362-2578
Fax: 515-288-8718

Construction Update Plan Room, Fort Dodge

24 N. 9th Street, Suite A
Fort Dodge, IA 50501-4251
Phone: 515-955-5500
Fax: 515-955-3245

North Iowa Builders Exchange

9 N. Federal
Mason City, IA 50401-3228
Phone: 641-423-5334
Fax: 641-423-5725

Master Builders of Iowa - Omaha Builders Exchange Office

4255 S. 94th St.
Omaha, NE 68127-1223
Phone: (402) 593-6908
Fax: (402) 593-6912

Fair Housing Strategies for communities participating in the CDBG program

In order to ensure that grantees are fulfilling their requirement to affirmatively further fair housing, all units of local government applying for and receiving Community Development Block Grant (CDBG) funds from the State must document how they are meeting their fair housing obligations. A unit of local government can participate in the State's CDBG Program by agreeing to implement at least two mandatory actions and at least one elective activity appropriate to the conditions and needs in its area. The selected elective activities are of the local government's choice chosen from the list below. All grantees receiving CDBG funds through the State must complete the two mandatory strategies and at least one elective strategy regardless of whether they are using CDBG funds for housing activities.

The implementation of the mandatory strategies must be carried out each year for which the jurisdiction has received HUD funds through IEDA. This may be achieved through the posting of the information in a conspicuous public place and/or publication in a local newspaper of general circulation.

Mandatory activities to promote Fair Housing:

Communities/counties receiving CDBG funds must complete the following and implement them during the CDBG contract period:

1. Advertise, publicize and pass an affirmative fair housing policy that will certify that the local government adheres to the requirements of the federal Fair Housing Act and the Iowa Civil Rights Act of 1965 (adoption and use of the Equal Housing Opportunity logo and the Equal Housing Opportunity statement), and
2. Identify and publish the name and contact information of a Discrimination Complaint Officer within the agency or jurisdiction for any housing-related bias or discrimination complaint, and
3. Refer housing discrimination complaints and assist in filing complaints with the Iowa Civil Rights Commission, the U.S. Department of Housing & Urban Development, or a local civil rights commission.

Elective activities to promote Fair Housing:

Communities/counties receiving CDBG funds must also complete one of the following activities and implement it during the contract period:

1. Advertise the availability of housing and related assistance to population groups that are least likely to apply through various forms of media (i.e. radio stations, posters, flyers, newspapers, Facebook, city web page) in English and other languages spoken by eligible families within the project service area
2. Include a flyer about fair housing in a local utility or tax bill and send it to every household in the municipality
3. Have the Responsible Entity staff attend a fair housing training or conference.
4. Organize a local letter writing campaign to local legislators and/or local government about the need to fund and support fair housing programs

5. Sponsor trainings for realtors, bankers, landlords, homebuyers, tenants, public housing authority and other city/town employees to educate them on their fair housing rights and responsibilities. This activity MUST be done in collaboration with the Iowa Civil Rights Commission or a local civil rights commission.
6. Provide training/educational programs about fair housing for financial, real estate, and property-management professionals at local firms, including their obligations to comply with the federal Fair Housing Act and the Iowa Civil Rights Act of 1965 (this can be done by partnering with a bank, board of realtors association, or other local group and helping to sponsor a program taught by a qualified entity such as ICRC)
7. Conduct meetings with advocacy groups for members of the protected classes (i.e. persons with disabilities, immigrants, refugees, etc.) on the availability of affordable and accessible housing and determine housing needs to plan future projects
8. Establish and/or fund fair housing organizations in areas where there are no such organizations
9. Conduct fair housing testing to ensure that local housing providers and/or lenders do not discriminate (fair housing testing must be conducted by a HUD-certified fair housing agency)
10. Assist Housing Choice Voucher program participants to help locate and secure housing outside of racially concentrated areas of poverty (RCAPs) or near-RCAPs
11. Conduct outreach to housing providers and housing developers to discuss affordable and accessible housing needs in RCAPs and near-RCAPs
12. Evaluate the local zoning ordinance against the fair housing benchmarks identified in this AI, using the Zoning Risk Assessment Tool. Evaluate the need for amendments to the zoning ordinance and make them.
13. Organize a tester recruitment event in collaboration with the Iowa Civil Rights Commission to help document instances of housing discrimination

Labor Standards



CDBG project sign specifications

Specifications for CDBG project signs are available on the IEDA website:

Temporary CDBG project sign specifications:

https://www.iowaeda.com/UserDocs/cdbg_projectsign.pdf

Temporary construction sign for jointly funded projects:

https://www.iowaeda.com/UserDocs/cdbg_usda-rd_projectsign.pdf

REQUEST FOR WAGE DETERMINATION: Use this form for projects prior to 2012

E-MAIL or FAX

TO: Dan Narber Iowa Economic Development Authority Phone: 515-348-6214 EMAIL: dan.narber@iowaeda.com Date: _____ Pages _____	FROM _____ COMPANY _____ ADDRESS _____ CITY, STATE, ZIP _____ PHONE _____ FAX _____ EMAIL _____
---	--

CONTRACT:

Recipient _____
Contract Number _____
County where work will be performed _____
Construction Contract Value \$ _____

ESTIMATED DATES:

Advertising _____
Bid Opening _____
Contract Award _____
Construction Start _____

LABOR PACKET NEEDED? (Posters, payroll forms, etc.) YES NO IS THIS AN UPDATE? YES NO

OTHERS TO RECEIVE DECISION:

1. CEO* Name _____ Address _____ _____ City, State, Zip _____ E-mail: _____	2. Name _____ Company _____ Address _____ City, State, Zip _____ E-mail: _____
---	--

**CEO refers to the Mayor, Board of Supervisors Chairperson, President, Agency Director, or other official*

BRIEF WORK DESCRIPTION (From Attachment A of the Contract):

Activity Number: _____ Description: _____

TYPE OF CONSTRUCTION (Final determination of construction type will be made by IEDA)

- BUILDING:** Includes the construction, rehabilitation and repair of sheltered enclosures with walk-in access for the purpose of housing persons, machinery, equipment, or supplies.
- RESIDENTIAL:** Includes the construction, rehabilitation and repair of single-family houses, townhouses, and apartment buildings of no more than four (4) stories in height.
- HIGHWAY:** Includes the construction, alteration, and repair of roads, streets, highways, runways, parking areas and most other paving work not incidental to building or nearby construction.
- HEAVY:** A "catch-all" category which includes those projects which cannot be classified as Building, Residential, Highway or Treatment. Heavy construction is often further distinguished on the basis of the characteristics of particular projects such as dredging, water and sewer lines, dams, major bridges and flood control projects.
- TREATMENT:** Construction of, or improvements to, water and sewage treatment facilities.

IEDA USE ONLY Determination Number: _____ Date: _____ Issued by: _____ 10-Day Update: _____
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Previous editions are obsolete

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
REPORT OF ADDITIONAL CLASSIFICATION AND RATE**

HUD FORM 4230A

OMB Approval Number 2501-0011
(Exp. 01/31/2010)

<p>1. FROM (name and address of requesting agency)</p> <p>Labor Standards Compliance Officer Iowa Economic Development Authority 200 East Grand Avenue Des Moines, IA 50309</p>	<p>2. PROJECT NAME AND NUMBER</p> <hr/> <p>3. LOCATION OF PROJECT (City, County and State)</p>
--	--

<p>4. BRIEF DESCRIPTION OF PROJECT</p>	<p>5. CHARACTER OF CONSTRUCTION</p> <p><input type="checkbox"/> Building <input type="checkbox"/> Residential <input type="checkbox"/> Heavy <input type="checkbox"/> Other (specify) <input type="checkbox"/> Highway</p>
--	--

<p>6. WAGE DECISION NO. (include modification number, if any)</p> <p><input type="checkbox"/> COPY ATTACHED</p>	<p>7. WAGE DECISION EFFECTIVE DATE</p>
---	--

8. WORK CLASSIFICATION(S)	HOURLY WAGE RATES	
	BASIC WAGE	FRINGE BENEFIT(S) (if any)

<p>9. PRIME CONTRACTOR (name, address)</p>	<p>10. SUBCONTRACTOR/EMPLOYER, IF APPLICABLE (name, address)</p>
--	--

Check All That Apply:

The work to be performed by the additional classification(s) is not performed by a classification in the applicable wage decision.

The proposed classification is utilized in the area by the construction industry.

The proposed wage rate(s), including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage decision.

The interested parties, including the employees or their authorized representatives, agree on the classification(s) and wage rate(s).

Supporting documentation attached, including applicable wage decision.

Check One:

Approved, meets all criteria. DOL confirmation requested.

One or more classifications fail to meet all criteria as explained in agency referral. DOL decision requested.

<p>Dan Narber</p> <hr/> <p>Agency Representative <i>(Typed name and signature)</i></p>	<hr/> <p><i>Date</i></p>	<p>FOR HUD USE ONLY LR2000:</p> <p>Log in:</p> <p>Log out:</p>
<hr/> <p>515-348-6214</p> <hr/> <p><i>Phone Number</i></p>		

HUD-4230A (8-03) PREVIOUS EDITION IS OBSOLETE

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. The information is considered non-sensitive and does not require special protection. This information is required to obtain benefits. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Employers engaged on HUD-assisted construction projects subject to Davis-Bacon wage requirements must pay no less than the wages determined to be prevailing by the Secretary of Labor to all laborers and mechanics engaged on the construction work. On occasion, the applicable Davis-Bacon wage decision does not contain all of the work classifications and wage rates needed to complete the construction work. This information collection facilitates the addition of needed work classifications and wage rates for the construction work involved. This form is used by HUD and local agencies administering HUD programs to report employer request(s) for additional classification and wage rates so that an appropriate wage rate can be approved by the Department of Labor for the construction work. This information collection is required by Department of Labor regulations at 29 CFR 5.5. While no assurances of confidentiality are pledged to respondents, HUD generally discloses these data only in response to a Freedom of Information request.

Instructions

General:

Contractors/Employers: Do not need to complete this form. Submit a written, signed request to the responsible contracting agency naming the work classifications and the wage rates, including any fringe benefits, that are proposed.

Local Agency Staff: Complete items 2 through 10. Submit one copy of this form to the responsible HUD Labor Relations Office with a copy of the applicable Davis-Bacon wage decision and the written request from the employer naming the work classifications and wage rates that are proposed. (The employer's request must be made in writing and must be signed.)

1. For HUD or State CDBG Office use. Enter the name and address of HUD Office (or State CDBG office) submitting the report and to which the DOL reply should be sent.
2. Enter the name and number of the project or contract involved.
3. Enter the location of the project involved: city, county and state.
4. Describe the construction involved, e.g., new construction or rehabilitation, number and type of buildings, number of stories, number of units (as applicable). For example, new construction: 3 – 4-story buildings; 120 units.
5. Enter the character of construction as defined by DOL for Davis-Bacon prevailing wage rate purposes.
6. Enter the number of the Davis-Bacon wage decision applicable to the construction work. Include the number of wage decision modifications (if any) applicable to the work.
7. Enter the effective date of the wage decision for the project. (See DOL regulations at 29 CFR 1.6.)
8. Enter the work classifications and corresponding hourly basic wage rates and fringe benefit rates (if any) requested.
9. Self-explanatory.
10. If the requesting employer is not the prime contractor, enter the name and address of the subcontractor/employer making the request.

Remainder of Form: HUD Labor Relations/State CDBG use.

HUD Labor Relations/State CDBG Staff: Evaluate the employer's request against the criteria for approval (see DOL Regulations, 29 CFR Part 5, and related contract labor standards provisions). The criteria are reflected in "checklist" form to ensure that each factor is considered and to ensure that supporting documentation, including a copy of the applicable wage decision, is attached. Check the box next to each criterion that is met; do not check the box next to any criterion that is not met.

If the request meets all criteria, check the appropriate box, enter the name and telephone number of the HUD/State CDBG agency representative, and sign and date the form. Submit one copy of the completed form to the DOL with a copy of the applicable Davis-Bacon wage decision and the written request from the employer involved.

If the request fails to pass all criteria, check the appropriate box, enter agency contact information, and sign and date the form. Submit one copy of the completed form to the DOL with a copy of the applicable Davis-Bacon wage decision, the written request from the employer involved, and a cover letter explaining how the employer's request failed to meet one or more of the criteria.

Submission of Report

Completed forms shall be sent to: Branch of Construction Wage Determinations
U.S. Department of Labor
200 Constitution Avenue, NW
Room S-3014
Washington, DC 20210

Previous editions are obsolete.

REQUEST FOR CONTRACTOR ELIGIBILITY Use this form for projects prior to 2012

E-mail completed form to: **khristy.smith@iowaeda.com**
 Phone: 515.348.6216

Requested by: _____
 Address: _____
 Phone: _____ Fax: _____
 Email: _____

Recipient: _____ Contract Number: _____
 Project Address (For Housing Projects Only): _____ IEDA Project Manager: _____

Contractor/Sub-Contractor Name & Address: _____

Owner: _____
 Contractor's

Iowa Contractor Registration #: _____

Contract \$ Value: _____

Type of Trade (see below): _____

Type: Prime Sub

MBE: Yes No
WBE: Yes No

- If a MBE/WBE provide Tax ID #: _____
 - If MBE/WBE is a Subcontractor, Include Prime

Tax ID #: _____

Section 3 (see below): Yes No
Racial Ethnic Code (see below): _____

If Hispanic Origin, check here:

Number of employees anticipated to be employed on the project: _____
Number of new employees hired (if any) for this project: _____

Contractor/Sub-Contractor Name & Address: _____

Owner: _____
 Contractor's

Iowa Contractor Registration #: _____

Contract \$ Value: _____

Type of Trade (see below): _____

Type: Prime Sub

MBE: Yes No
WBE: Yes No

- If a MBE/WBE, provide Tax ID #: _____
 - If MBE/WBE is a Subcontractor, Include Prime

Tax ID #: _____

Section 3 (see below): Yes No
Racial Ethnic Code (see below): _____

If Hispanic Origin, check here:

Number of employees anticipated to be employed on the project: _____
Number of new employees hired (if any) for this project: _____

IEDA USE ONLY

This verification of eligibility consists only of a check against the current list of debarred, suspended and ineligible contractors. It is important that other factors be considered in determining overall acceptability of a contractor. See 2 CFR part 200.318.

Verified: Yes No Signature _____ Date _____

Type of Trade:

1 – New Construction	3 – Repair	5 – Project Management	7 – Tenant Services	9 – Arch/Eng Appraisal
2 – Substantial Rehab.	4 – Service	6 – Professional	8 – Education/Training	0 – Other

Section 3:
 A Section 3 contractor/subcontractor is a business concern that is 51% or more owned by Section 3 residents OR whose permanent full time employees include persons, at least 30 percent of whom are currently section 3 residents, or within three years of the date of first employment with the business were section 3 residents; OR That provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to businesses that meet at least one of the two previous criteria. Please refer to the CDBG Management Guide for more information on Section 3.

Racial/Ethnic Codes:

11 = White	14 = American Indian/Alaskan Native	17 = Asian & White	20 = Other Multi-Racial
12 = Black/African American	15 = Native Hawaiian/Other Pacific Islander	18 = Black/African American & White	
13 = Asian	16 = American Indian/Alaskan Native & White	19 = American Indian/Alaskan Native & Black African American	

Previous editions are obsolete



PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/esa/whd/forms/wh347instr.htm)

U.S. Department of Labor
Wage and Hour Division

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Rev. Dec. 2008

NAME OF CONTRACTOR OR SUBCONTRACTOR ADDRESS OMB No.: 1235-0008
Expires: 04/30/2021

PAYROLL NO. FOR WEEK ENDING PROJECT AND LOCATION PROJECT OR CONTRACT NO.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK
				HOURS WORKED EACH DAY										FICA	WITH- HOLDING TAX	OTHER	TOTAL DEDUCTIONS		
			O										/						
			S																
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish a weekly statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5 (a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that the employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

(over)

Date _____

I, _____, _____
 (Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of persons employed by

_____ on the
 (Contractor or Subcontractor)
 _____; that during the period commencing on the
 (Building or Work)
 _____ day of _____, _____, and ending the _____ day of _____, _____
 all persons employed on said project have been paid the full weekly wages earned, that no rebates have been made or will be made either directly or indirectly on behalf of said
 _____ from the full
 (Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers and mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide Apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:
 (a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

___ in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

___ Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4 (c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS

NAME AND TITLE	SIGNATURE
----------------	-----------

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

U.S. Department of Labor
Wage and Hour Division
Instructions for Completing Payroll Form, WH-347

General: Form WH-347 has been made available for the convenience of contractors and subcontractors required by their Federal or Federally-aided construction-type contracts and subcontracts to submit weekly payrolls. Properly filled out, this form will satisfy the requirements of Regulations, Parts 3 and 5 (29 C.F.R., Subtitle A), as to payrolls submitted in connection with contracts subject to the Davis-Bacon and related Acts.

While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) requires contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) Regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Under the Davis-Bacon and related Acts, the contractor is required to pay not less than prevailing wage, including fringe benefits, as predetermined by the Department of Labor. The contractor's obligation to pay fringe benefits may be met either by payment of the fringe benefits to bona fide benefit plans, funds or programs or by making payments to the covered workers (laborers and mechanics) as cash in lieu of fringe benefits.

This payroll provides for the contractor to show on the face of the payroll all monies to each worker, whether as basic rates or as cash in lieu of fringe benefits, and provides for the contractor's representation in the statement of compliance on the payroll (as shown on page 2) that he/she is paying for fringe benefits required by the contract and not paid as cash in lieu of fringe benefits. Detailed instructions concerning the preparation of the payroll follow:

Contractor or Subcontractor: Fill in your firm's name and check appropriate box.

Address: Fill in your firm's address.

Payroll No.: Beginning with the number "1", list the payroll number for the submission.

For Week Ending: List the workweek ending date.

Project and Location: Self-explanatory.

Project or Contract No.: Self-explanatory.

Column 1 - Name and Individual Identifying Number of Worker: Enter each worker's full name and an individual identifying number (e.g., last four digits of worker's social security number) on each weekly payroll submitted.

Column 2 - No. of Withholding Exemptions: This column is merely inserted for the employer's convenience and is not a requirement of Regulations, Part 3 and 5.

Column 3 - Work Classifications: List classification descriptive of work actually performed by each laborer or mechanic. Consult classification and minimum wage schedule set forth in contract specifications. If additional classifications are deemed necessary, see Contracting Officer or Agency representative. An individual may be shown as having worked in more than one classification provided an accurate breakdown of hours worked in each classification is maintained and shown on the submitted payroll by use of separate entries.

Column 4 - Hours worked: List the day and date and straight time and overtime hours worked in the applicable boxes. On all contracts subject to the Contract Work Hours Standard Act, enter hours worked in excess of 40 hours a week as "overtime".

Column 5 - Total: Self-explanatory

Column 6 - Rate of Pay (Including Fringe Benefits): In the "straight time" box for each worker, list the actual hourly rate paid for straight time worked, plus cash paid in lieu of fringe benefits paid. When recording the straight time hourly rate, any cash paid in lieu of fringe benefits may be shown separately from the basic rate. For example, "\$12.25/.40" would reflect a \$12.25 base hourly rate plus \$0.40 for fringe benefits. This is of assistance in correctly computing overtime. See "Fringe Benefits" below. When overtime is worked, show the overtime hourly rate paid plus any cash in lieu of fringe benefits paid in the "overtime" box for each worker; otherwise, you may skip this box. See "Fringe Benefits" below. Payment of not less than time and one-half the basic or regular rate paid is required for overtime under the Contract Work Hours Standard Act of 1962 if the prime contract exceeds \$100,000. In addition to paying no less than the predetermined rate for the classification which an individual works, the contractor must pay amounts predetermined as fringe benefits in the wage decision made part of the contract to approved fringe benefit plans, funds or programs or shall pay as cash in lieu of fringe benefits. See "FRINGE BENEFITS" below.

Column 7 - Gross Amount Earned: Enter gross amount earned on this project. If part of a worker's weekly wage was earned on projects other than the project described on this payroll, enter in column 7 first the amount earned on the Federal or Federally assisted project and then the gross amount earned during the week on all projects, thus "\$163.00/\$420.00" would reflect the earnings of a worker who earned \$163.00 on a Federally assisted construction project during a week in which \$420.00 was earned on all work.

Column 8 - Deductions: Five columns are provided for showing deductions made. If more than five deductions are involved, use the first four columns and show the balance deductions under "Other" column; show actual total under "Total Deductions" column; and in the attachment to the payroll describe the deduction(s) contained in the "Other" column. All deductions must be in accordance with the provisions of the Copeland Act Regulations, 29 C.F.R., Part 3. If an individual worked on other jobs in addition to this project, show actual deductions from his/her weekly gross wage, and indicate that deductions are based on his gross wages.

Column 9 - Net Wages Paid for Week: Self-explanatory.

Totals - Space has been left at the bottom of the columns so that totals may be shown if the contractor so desires.

Statement Required by Regulations, Parts 3 and 5: While the "statement of compliance" need not be notarized, the statement (on page 2 of the payroll form) is subject to the penalties provided by 18 U.S.C. § 1001, namely, a fine, possible imprisonment of not more than 5 years, or both. Accordingly, the party signing this statement should have knowledge of the facts represented as true.

Items 1 and 2: Space has been provided between items (1) and (2) of the statement for describing any deductions made. If all deductions made are adequately described in the "Deductions" column above, state "See Deductions column in this payroll." See "FRINGE BENEFITS" below for instructions concerning filling out paragraph 4 of the statement.

Item 4 FRINGE BENEFITS - Contractors who pay all required fringe benefits: If paying all fringe benefits to approved plans, funds, or programs in amounts not less than were determined in the applicable wage decision of the Secretary of Labor, show the basic cash hourly rate and overtime rate paid to each worker on the face of the payroll and check paragraph 4(a) of the statement on page 2 of the WH-347 payroll form to indicate the payment. Note any exceptions in section 4(c).

Contractors who pay no fringe benefits: If not paying all fringe benefits to approved plans, funds, or programs in amounts of at least those that were determined in the applicable wage decision of the Secretary of Labor, pay any remaining fringe benefit amount to each laborer and mechanic and insert in the "straight time" of the "Rate of Pay" column of the payroll an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the application wage decision. Inasmuch as it is not necessary to pay time and a half on cash paid in lieu of fringe benefits, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on basic or regular rate, plus the required cash in lieu of fringe benefits at the straight time rate. In addition, check paragraph 4(b) of the statement on page 2 the payroll form to indicate the payment of fringe benefits in cash directly to the workers. Note any exceptions in section 4(c).

Use of Section 4(c), Exceptions

Any contractor who is making payment to approved plans, funds, or programs in amounts less than the wage determination requires is obliged to pay the deficiency directly to the covered worker as cash in lieu of fringe benefits. Enter any exceptions to section 4(a) or 4(b) in section 4(c). Enter in the Exception column the craft, and enter in the Explanation column the hourly amount paid each worker as cash in lieu of fringe benefits and the hourly amount paid to plans, funds, or programs as fringe benefits. The contractor must pay an amount not less than the predetermined rate plus cash in lieu of fringe benefits as shown in section 4(c) to each such individual for all hours worked (unless otherwise provided by applicable wage determination) on the Federal or Federally assisted project. Enter the rate paid and amount of cash paid in lieu of fringe benefits per hour in column 6 on the payroll. See paragraph on "Contractors who pay no fringe benefits" for computation of overtime rate.

information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Record of Employee Interview

U.S. Department of Housing and Urban Development Office of Labor Relations

OMB Approval No. 2501-0009
(exp. 01/31/2021)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The information is collected to ensure compliance with the Federal labor standards by recording interviews with construction workers. The information collected will assist HUD in the conduct of compliance monitoring; the information will be used to test the veracity of certified payroll reports submitted by the employer. **Sensitive Information.** The information collected on this form is considered sensitive and is protected by the Privacy Act. The Privacy Act requires that these records be maintained with appropriate administrative, technical, and physical safeguards to ensure their security and confidentiality. In addition, these records should be protected against any anticipated threats or hazards to their security or integrity that could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom the information is maintained. **The information collected herein is voluntary, and any information provided shall be kept confidential.**

1a. Project Name			2a. Employee Name		
1b. Project Number			2b. Employee Phone Number (including area code)		
1c. Contractor or Subcontractor (Employer)			2c. Employee Home Address & Zip Code		
			2d. Verification of identification? Yes <input type="checkbox"/> No <input type="checkbox"/>		
3a. How long on this job?	3b. Last date on this job before today?	3c. No. of hours last day on this job?	4a. Hourly rate of pay?	4b. Fringe Benefits?	
				Vacation Yes <input type="checkbox"/> No <input type="checkbox"/>	4c. Pay stub? Yes <input type="checkbox"/> No <input type="checkbox"/>
				Medical Yes <input type="checkbox"/> No <input type="checkbox"/>	
				Pension Yes <input type="checkbox"/> No <input type="checkbox"/>	
5. Your job classification(s) (list all) --- continue on a separate sheet if necessary					
6. Your duties					
7. Tools or equipment used					
8. Are you an apprentice or trainee?		Y	N	10. Are you paid at least time and ½ for all hours worked in excess of 40 in a week?	
		<input type="checkbox"/>	<input type="checkbox"/>		
9. Are you paid for all hours worked?		<input type="checkbox"/>	<input type="checkbox"/>	11. Have you ever been threatened or coerced into giving up any part of your pay?	
		<input type="checkbox"/>	<input type="checkbox"/>		
12a. Employee Signature			12b. Date		
13. Duties observed by the Interviewer (Please be specific.)					
14. Remarks					
15a. Interviewer name (please print)			15b. Signature of Interviewer		15c. Date of interview

Payroll Examination

16. Remarks	
17a. Signature of Payroll Examiner	17b. Date

Record of Employee Interview	U.S. Department of Housing and Urban Development Office of Labor Relations	OMB Approval No. 2501-0009 (exp. 12/31/2013)
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Instructions:

General:

This form is to be used by HUD and local agency staff for recording information gathered during on-site interviews with laborers and mechanics employed on projects subject to Federal prevailing wage requirements. Typically, the staff that will conduct on-site interviews and use this form are HUD staff and fee construction inspectors, HUD Labor Relations staff, and local agency labor standards contract monitors.

Information recorded on the form HUD-11 is evaluated for general compliance and compared to certified payroll reports submitted by the respective employer. The comparison tests the veracity of the payroll reports and may be critical to the successful conclusion of enforcement actions in the event of labor standards violations. The thoroughness and accuracy of the information gathered during interviews is crucial.

Note that the interview itself and the information collected on the form HUD-11 are considered confidential. Interviews should be conducted individually and privately. All laborers and mechanics employed on the job site must be made available for interview at the interviewer's request. The employee's participation, however, is voluntary. Interviews shall be conducted in a manner and place that are conducive to the purposes of the interview and that cause the least inconvenience to the employer(s) and the employee(s).

Completing the form HUD-11

Items 1a - 1c: Self-explanatory

Items 2a – 2d: Enter the employee's full name, a telephone number where the employee can be reached, and the employee's home address. Many construction workers use a temporary address in the locality of the project and have a more permanent address elsewhere from which mail may be forwarded to them. Obtain a more permanent address, if available. Ask the employee for a form of identification (e.g., driver's license) to verify their name.

Items 3a – 4c: Enter the employee's responses. Ask the employee whether they have a pay stub with them; if so, determine whether the pay stub is consistent with the information provided by the employee.

Items 5 – 7: Be certain that the employee's responses are specific. For example, job classification (#5) must identify the trade involved (e.g., Carpenter, Electrician, Plumber) – responses such as "journeyman" or "mechanic" are not helpful for our purposes.

Items 8 – 12b: Self-explanatory

Items 13 – 15c: These items represent some of the most important information that can be gathered while conducting on-site interviews. Please be specific about the duties you observed the employee performing. It may be easiest to make these observations before initiating the interview. Please record any comments or remarks that may be helpful. For example, if the employee interviewed was working with a crew, how many workers were in the crew? Was the employee evasive?

The level of specificity that is warranted is directly related to the extent to which interview(s) or other observations indicate that there may be violations present. If interviews indicate that there may be underpayments involving a particular trade(s), the interviewer is encouraged to interview as many workers in that trade(s) that are available.

Items 16 – 17b: The information on the form HUD-11 may be reviewed for general compliance, initially. For example, are the job classification and wage rate stated by the employee compatible with the classifications and wage rates on the applicable wage decision? Are the duties observed by the interviewer consistent with the job classification?

Once the corresponding certified payroll reports are received, the information on the HUD-11 shall be compared to the payroll reports. Any discrepancies noted between the HUD-11 information and that on the payroll report shall be noted in Item 16, Remarks. If discrepancies are noted, follow-up actions to resolve the discrepancies must be taken.

Form HUD-11 (08/2004)

Historial de Entrevista del Empleado

Departamento de Vivienda y Desarrollo Urbano de EE.UU.
Oficina de Relaciones Laborales

Aprobación de OMB No. 2501-0009
(exp. 01/31/2021)

Se estima que la tarea de recolección de esta información pública es de aproximadamente 15 minutos por respuesta, incluso el tiempo para examinar instrucciones, buscar fuentes de datos existentes, recopilar y mantener datos necesarios, y completar y examinar la recopilación de la información. Esta agencia no puede recopilar esta información y no se requiere que usted llene este formulario, a menos que éste exhiba un número de control válido de la Oficina de Administración y Presupuesto (OMB, por sus siglas en inglés). La información que se recopila tiene la finalidad de garantizar la conformidad a las normas laborales Federales mediante entrevistas con obreros de construcción. La información recopilada asistirá a HUD a conducir el monitoreo de conformidad; la información se usará para examinar la veracidad de los informes de nómina certificados presentados por el patrón. **Información confidencial.** La información recopilada en este formulario es considerada confidencial y está protegida por la Ley de Privacidad. La Ley de Privacidad requiere que estos archivos se mantengan con salvaguardas administrativas, técnicas, y físicos apropiados para garantizar su seguridad y confidencialidad. Además, estos archivos deberán ser protegidos contra cualquier amenaza anticipada o riesgos a su seguridad o integridad, que podría causar daño sustancial, vergüenza, inconveniencias, o injusticias a cualquier individuo de quien se mantiene la información. **La información recopilada aquí es voluntaria y cualquier información proporcionada será mantenida como confidencial.**

1a. Nombre del proyecto			2a. Nombre del empleado		
1b. Número del proyecto			2b. Número de teléfono del empleado (incluso prefijo local)		
1c. Contratista o subcontratista (Patrón)			2c. Dirección residencial del empleado y código postal		
			2d. ¿Verificación de identificación? Sí <input type="checkbox"/> No <input type="checkbox"/>		
3a. ¿Cuánto tiempo en este trabajo?	3b. ¿Último día en este trabajo antes de hoy?	3c. ¿No. de horas en su ultimo día en este trabajo?	4a. ¿Salario por hora?	4b. ¿Beneficios complementarios? Vacaciones Sí <input type="checkbox"/> No <input type="checkbox"/> Médicos Sí <input type="checkbox"/> No <input type="checkbox"/> Pensión Sí <input type="checkbox"/> No <input type="checkbox"/>	4c. ¿Talonario de paga? Sí <input type="checkbox"/> No <input type="checkbox"/>
5. Clasificación(es) de su trabajo(s) (enumere todas) --- continúe en una página separada si es necesario					
6. Sus deberes					
7. Herramientas o equipo usado					
8. ¿Es aprendiz?		S <input type="checkbox"/> N <input type="checkbox"/>	10. ¿Le pagan al menos tiempo y medio por todas las horas trabajadas superior a 40 horas semanales?		S <input type="checkbox"/> N <input type="checkbox"/>
9. ¿Le pagan todas las horas trabajadas?		S <input type="checkbox"/> N <input type="checkbox"/>	11. ¿Alguna vez ha sido amenazado o coaccionado a entregar parte de su paga?		S <input type="checkbox"/> N <input type="checkbox"/>
12a. Firma del empleado			12b. Fecha		
13. Deberes observados por el entrevistador (Por favor sea específico.)					
14. Comentarios					
15a. Nombre del entrevistador (use letra de imprenta)		15b. Firma del entrevistador		15c. Fecha de la entrevista	

Examinación de Nómina

16. Comentarios	
17a. Firma del examinador de nómina	17b. Fecha

Instrucciones

Generalidades:

Este formulario será utilizado por personal de HUD y agencias locales a fin de anotar toda información recopilada durante las entrevistas en sitio con obreros y mecánicos empleados en proyectos sujetos a requisitos de pago de salario vigente federal. Por lo general, el personal que efectúe entrevistas en sitio y use este formulario será personal de HUD e inspectores de construcción con comisión, personal de la Oficina de Relaciones Laborales de HUD, e inspectores de contratos de la agencia de normas laborales local.

La información recopilada en este formulario HUD-11 es evaluada para su conformidad general y comparada con informes de nóminas certificados presentados por el empleador correspondiente. La comparación examina la veracidad de los informes de nómina y puede ser crítica para la exitosa conclusión de gestiones de cumplimiento en caso de existir violaciones a las normas laborales. La meticulosidad y exactitud de la información recopilada durante las entrevistas es trascendental.

Tenga en cuenta que tanto la entrevista misma y la información recopilada en el formulario HUD-11 se consideran ser de carácter confidencial. Las entrevistas se deberán efectuar en forma individual y en privado. Todos los trabajadores y mecánicos empleados en el sitio de trabajo deben ser puestos a disposición para las entrevistas a petición del entrevistador. Sin embargo, la participación del empleado es voluntaria. Las entrevistas serán conducidas en una manera y lugar que sean conducentes a los objetivos de la entrevista y ocasionen el menor inconveniente al patrón(nes) y empleado(s).

Instrucciones para rellenar el formulario HUD-11

Líneas 1a - 1c: Auto aclaratorio

Líneas 2a – 2d: Anote el nombre completo del empleado, un número telefónico donde se le pueda contactar, y su dirección residencial. Muchos trabajadores de construcción usan una dirección temporal en la localidad del proyecto y tienen una dirección más permanente en algún otro lugar a donde se les puede enviar correspondencia. Si puede, obtenga una dirección más permanente. Pida al empleado algún tipo de identificación (por ej., licencia de conducir) para verificar su nombre.

Líneas 3a – 4c: Anote las respuestas del empleado. Pregunte a los empleados si tienen un talonario de paga con ellos; si no, determine si el talonario de paga concuerda con la información provista por el empleado.

Líneas 5 – 7: Asegúrese de que las respuestas del empleado sean específicas. Por ejemplo, la clasificación de trabajo (#5) debe identificar el tipo de oficio que desempeña (por ej., carpintero, electricista, plomero) – respuestas tales como “jornalero” o “mecánico” no ayudan para nuestros propósitos.

Líneas 8 – 12b: Auto explicatorio

Líneas 13 – 15c: Estos asuntos representan alguna de la información más importante que se puede recopilar durante una entrevista en sitio. Por favor sea específico en cuanto a los deberes que según su observación desempeñó el empleado. Quizás sea más fácil hacer estas observaciones antes de iniciar la entrevista. Por favor anote cualquier comentario que pueda ser de importancia. Por ejemplo, si el empleado entrevistado estaba trabajando con un equipo, ¿cuántos trabajadores tenía el equipo? ¿Se mostraba el empleado evasivo?

El nivel de precisión garantizado está directamente relacionado al grado que la(s) entrevista(s) u otras observaciones pueden indicar que existen posibles violaciones. Si las entrevistas indican que puede haber paga de salario insuficiente relacionado a algún particular oficio (s), se recomienda al entrevistador conducir entrevistas con tantos trabajadores en ese oficio(s) estén disponibles.

Líneas 16 – 17b: Inicialmente, la información en el formulario HUD-11 puede ser examinada para conformidad general. Por ejemplo, ¿está la clasificación de trabajo y el salario declarado por el empleado compatible con las clasificaciones y tasas de salario en la decisión de salario aplicable? ¿Concuerdan los deberes observados por el entrevistador con la clasificación de trabajo?

Una vez se reciben los informes de nómina certificados correspondientes, se hará una comparación de la información anotada en el formulario HUD-11 con los informes de nómina. Cualquier discrepancia entre la información del formulario HUD-11 y la del informe de nómina será anotada en la línea 16, Comentaríos. Si se hacen observaciones de discrepancias se deberán tomar pasos de seguimiento para resolver las discrepancias.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
FEDERAL LABOR STANDARDS QUESTIONNAIRE

HUD FORM 4730
 OMB Approval Number 2501-0018
 (Exp. 01/31/2024)

We are conducting a review of federal labor standards compliance on the project named below. We are asking for certain information regarding your employment on this project. Sending this questionnaire to you does not imply that your employer has violated any law.

Please respond to all of the questions listed below. Your responses will be considered confidential and will not be released to anyone without your permission. Your answers should refer only to the time during which you worked on this project. Please return the completed form as soon as possible, using the envelope provided, which needs no postage.

If you have any questions, please call:

Employer		Project name, number and location	
1. Your Name		2. Your Job title	
3. When did you work on this project? From: _____ To: _____		4. Where did you work (job site, shop, etc)?	
5. What duties did you perform on this project?			
6. What tools did you use (if any) to perform your duties on the project?			
7. How were you paid? (hourly wage, salary, piece work, etc.)		8. If your wage was based on piece work, how was your pay determined (i.e., \$ per board, per unit, etc.)?	
9. What was your hourly wage on this project? \$	10a. Did you receive fringe benefits? Yes <input type="checkbox"/> No <input type="checkbox"/>	10b. If yes, which fringe benefits did you receive? Vacation <input type="checkbox"/> Medical <input type="checkbox"/> Pension <input type="checkbox"/> Other <input type="checkbox"/> Specify:	
11. On average, how many hours did you work each week?	12. Did you ever work over 40 hours in a single week? Yes <input type="checkbox"/> No <input type="checkbox"/>	13. If you worked over 40 hours per week, did you receive overtime pay (at least 1½ times your regular rate of pay)? Yes <input type="checkbox"/> No <input type="checkbox"/>	14. If you did <u>not</u> receive overtime pay for overtime hours worked, identify the number of weeks in which overtime was worked and/or total overtime hours
15. Attach copies of check stubs or a record of your hours and pay received <input type="checkbox"/> CHECK IF ATTACHED		16. Attach any other comments or statements on separate sheet <input type="checkbox"/> CHECK IF ATTACHED	

HUD-4730 (06/2004) PREVIOUS EDITION IS OBSOLETE

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
FEDERAL LABOR STANDARDS QUESTIONNAIRE

HUD FORM 4730
 OMB Approval Number 2501-0018
 (Exp. 01/31/2024)

17. Identify other employees (name, address, phone) who worked with you and who could confirm the type of work you performed

18. Identify employees (name, address, phone) you supervised

I affirm that the information provided herein is accurate to the best of my knowledge.

Employee Name (Please print clearly)	Home Phone Number (including area code)
Current address (Include apartment number, if any) (Street/City/State/Zip Code)	Alternate Phone Number(s) (including area code)
Permanent/Alternate Address (if current address is temporary)	Email address
Signature	Date

Disclosure Authorization

I authorize the HUD representative to disclose my name and the information I have submitted to the extent necessary to enforce my rights under the Acts administered by the U.S. Department of Housing and Urban Development.

Signature:	Date:
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Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. The information is considered sensitive and will not be released without your approval. Provision of this is voluntary. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget (OMB) control number.

HUD and local agencies administering HUD-assisted programs must enforce Federal wage and reporting requirements on covered HUD-assisted construction and maintenance work. Enforcement activities include contacting laborers and mechanics and requesting information about their employment on covered projects.

HUD-4730 (06/2004) PREVIOUS EDITION IS OBSOLETE

Estamos llevando a cabo una revisión del cumplimiento con los estándares federales de trabajo en el proyecto mencionado a continuación. Estamos solicitando cierta información concerniente a su empleo en este proyecto. El envío de este cuestionario no implica que su empleador haya violado alguna ley.

Por favor responda a todas las preguntas mencionadas abajo. Sus respuestas se considerarán confidenciales y no se revelarán a nadie sin su permiso. Sus respuestas se deben referir únicamente al tiempo durante el cual usted trabajó en este proyecto. Por favor devuelva el formulario debidamente llenado lo más pronto posible, usando el sobre proporcionado con franqueo pagado.

Si tiene preguntas, por favor llame:

Empleador		Nombre del proyecto, número y ubicación	
1. Su nombre		2. El título de su trabajo	
3. ¿Cuándo trabajó en este proyecto? Desde: Hasta:		4. ¿Dónde trabajó usted (lugar del trabajo, taller, etc.)?	
5. ¿Qué tareas desempeñó en este proyecto?			
6. ¿Qué herramientas usó (si usó alguna) para desempeñar sus tareas en el proyecto?			
7. ¿Cómo se le pagó? (salario por hora, sueldo, trabajo a destajo, etc.)		8. Si su salario era en base a trabajo a destajo, ¿cómo se determinó su pago (esto es, por tabla, por unidad, etc.)?	
9. ¿Cuál era su salario por hora en este proyecto? \$	10a. Recibió usted beneficios adicionales? Sí <input type="checkbox"/> No <input type="checkbox"/>	10b. Si la respuesta es sí, ¿Cuáles beneficios adicionales recibió? Vacaciones <input type="checkbox"/> Seguro médico <input type="checkbox"/> Jubilación <input type="checkbox"/> Otra <input type="checkbox"/> Especifique	
11. En promedio, ¿cuántas horas trabajó usted cada semana?	12. ¿Trabajó usted más de 40 horas en una sola semana? Sí <input type="checkbox"/> No <input type="checkbox"/>	13. Si usted trabajó más de 40 horas por semana, ¿recibió pago por horas extra (por lo menos 1½ veces su tarifa de pago regular)? Sí <input type="checkbox"/> No <input type="checkbox"/>	14. Si usted <u>no</u> recibió pago de sobre tiempo por las horas extra de trabajo, identifique el número de semanas que trabajó horas extra y/o las horas extra
15. Adjunte copias de los talones de cheques o planillas de sus horas y del pago recibido <input type="checkbox"/> MARQUE SI ESTÁN INCLUIDOS		16. Incluya cualquier otro comentario o declaración en una hoja separada <input type="checkbox"/> MARQUE SI ESTÁN INCLUIDOS	

17. Identifique a otros empleados (nombre, dirección, teléfono) que trabajaron con usted y que podrían confirmar el trabajo que usted desempeñó

18. Identifique a los empleados (nombre, dirección, teléfono) que usted supervisó

Afirmo que la información proporcionada aquí es exacta a mi mejor conocimiento.

Nombre del empleado (Por favor escriba claramente en letra de molde)	Número de teléfono de su domicilio (incluya el código de área)
Dirección actual (Incluya el número de apartamento, si se aplica (Calle/Ciudad/Estado/Código Postal)	Número(s) de teléfono alternativos(s) (incluya el código de área)
Dirección permanente/alternativa (si la dirección actual es temporal)	Dirección de correo electrónico
Firma	Fecha

Autorización de Revelación

Autorizo al representante de HUD revelar mi nombre y la información que he presentado, en la medida necesaria para hacer valer mis derechos bajo las Leyes administradas por el Departamento de Vivienda y Desarrollo Urbano de los EE.UU.

Firma:	Fecha:
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La responsabilidad de informar al público para esta recopilación de información se estima a un promedio de 30 minutos por respuesta, incluyendo el tiempo para revisar las instrucciones, buscar las fuentes de datos existentes, recopilar y mantener los datos necesarios, así como completar y revisar la información recopilada. La información se considera confidencial y no se revelará sin su aprobación. El proporcionarla es voluntario. Esta agencia no puede recopilar información y usted no está obligado a llenar este formulario, a menos que se muestre un número de control actual válido de la Oficina de Administración y Presupuesto (OMB).

HUD y las agencias locales que administran los programas asistidos por HUD deben hacer cumplir los requisitos federales de información y salario en los trabajos de construcción y mantenimiento cubiertos, asistidos por HUD. Las actividades de cumplimiento incluyen contratar obreros y mecánicos y solicitar información sobre sus empleos en proyectos cubiertos.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
ON-LINE EMPLOYEE QUESTIONNAIRE

HUD FORM 4730E

OMB Approval No. 2501-0018
 (Exp. 02/29/2020)

Many construction projects assisted by the Department of Housing and Urban Development (HUD) are covered by federal labor standards. These standards include the payment of prevailing wage rates as determined by the Secretary of Labor, otherwise known as Davis-Bacon wage rates. In addition, many projects are covered by overtime rules that require the payment of one and one-half times the regular rate of pay for hours worked over 40 in a workweek. Construction workers who are paid less than prevailing wages for the work they perform or who do not receive time and one-half for overtime hours worked may be entitled to wage restitution (back wages). Also, maintenance workers employed at many public and Indian housing projects are covered by prevailing wage rates determined by HUD. Maintenance workers that do not receive prevailing wages or, in some cases, overtime pay, may also be entitled to wage restitution.

If you think that you may not have been paid correctly for construction or maintenance work that you performed on a HUD-assisted project, you can complete this questionnaire and submit it to HUD electronically by clicking on the "Submit" button at the end of the form. Or you can print your completed form and mail it to HUD at the following address:

U.S. Department of HUD
 Office of Labor Relations
 451 7th Street, SW, Room 2102
 Washington, DC 20410

We will review the information you provide and will let you know if you have been underpaid and, if so, we will work to ensure that you receive any additional wages that you may have earned. Please note that if we believe you have been underpaid, we will probably need to contact you for more information.

Please respond to all of the questions listed below. Your responses will be considered confidential and will not be released to anyone without your permission. Your answers should refer only to the time during which you worked on the HUD-assisted project.

If you have any questions, please contact a HUD Labor Relations Specialist. A list of contact names, addresses, telephone numbers, email addresses and the geographic areas they cover can be found at: www.hud.gov/offices/olr

Employer	Project name, number and location
1. Your Name	2. Your Job title
3. When did you work on this project? From: To:	4. Where did you work (job site, shop, etc.)?
5. What duties did you perform on this project?	
6. What tools (if any) did you use to perform your duties on the project?	
7. How was your wage determined? (hourly wage, salary, piece work, etc.)	8. If your wage was based on piece work, describe how pay was determined (i.e., \$ per board, per unit, etc.)?

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
ON-LINE EMPLOYEE QUESTIONNAIRE

HUD FORM 4730E
 OMB Approval No. 2501-0018
 (Exp. 02/29/2020)

9a. What was your hourly wage rate on the project? \$		10a. Did you receive fringe benefits? Yes <input type="checkbox"/> No <input type="checkbox"/>		10b. If yes, which fringe benefits? Vacation <input type="checkbox"/> Medical <input type="checkbox"/> Pension <input type="checkbox"/> Specify: Other	
9b. If you know, what was the required prevailing wage for this project? \$					
11. On average, how many hours did you work each week?	12. Did you ever work over 40 hours in a single week? Yes <input type="checkbox"/> No <input type="checkbox"/>	13. If you worked over 40 hours per week, did you receive overtime pay (1½ times your regular rate of pay)? Yes <input type="checkbox"/> No <input type="checkbox"/>	14. If you did not receive overtime pay for overtime hours worked, identify the number of weeks in which overtime was worked and/or total overtime hours		
15. Identify other employees (name, address, phone) who worked with you and who could confirm the type of work you performed					
16. Identify employees (name, address, phone) you supervised					
How may we contact you?					
Current address (Include apartment number, if any) (Street/City/State/Zip Code)			Home Phone Number (including area code)		
Permanent/Alternate Address (if current address is temporary)			Alternate Phone Number(s) (including area code)		
			Cell Phone		
Email address			Date		

Disclosure Authorization

I authorize the HUD representative to disclose my name and the information I have submitted to the extent necessary to enforce my rights under the Acts administered by the U.S. Department of Housing and Urban Development.

Yes No

SUBMIT

PRINT

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. The information is considered sensitive and will not be released without your approval. Provision of this information is voluntary. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget (OMB) control number.

HUD and local agencies administering HUD-assisted programs must enforce Federal wage and reporting requirements on covered HUD-assisted construction and maintenance work. Enforcement activities include contacting laborers and mechanics and requesting information about their employment on covered projects.

HUD-4730E (6/2004) PREVIOUS EDITION IS OBSOLETE

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
FEDERAL LABOR STANDARDS COMPLAINT INTAKE FORM

HUD FORM
4731
 OMB Approval No. 2501-0018
 (Exp. 01/31/2024)

Name of complainant	Social Security Number
Current address of complainant (Street/City/State/Zip Code)	Permanent address, if different from current address
Telephone (including area code) (Home/Cell/Other)	E-Mail address
Project name, location and contract/project number	Prime contractor company name
Employer (company) name	Employer: name of owner/responsible party
Employer address	Employer: contact information (Telephone/Cell/Other)

Check one: Current employee Former employee Other (specify)

Period employed on the project
 From: _____ To: _____

Occupation/job title: _____

Duties performed (be specific) _____

Tools used and/or equipment operated _____

Wage Rate: \$ _____ per Hour Day Week Piece Other (specify): _____

Hours usually worked on the project

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Usual start and stop times Start work time: _____ End work time: _____

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
FEDERAL LABOR STANDARDS COMPLAINT INTAKE FORM

HUD FORM
4731
 OMB Approval No. 2501-0018
 (Exp. 01/31/2024)

Name of complainant	Social Security Number
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	No			Yes No	
Were meal breaks taken? If yes, how long were the breaks? _____	<input type="checkbox"/>	<input type="checkbox"/>	Did the employer keep time records?	<input type="checkbox"/>	<input type="checkbox"/>
Paid Overtime (time and ½) after 40 hours?	<input type="checkbox"/>	<input type="checkbox"/>	Did the complainant keep time records?	<input type="checkbox"/>	<input type="checkbox"/>
Paid for all hours worked?	<input type="checkbox"/>	<input type="checkbox"/>	Does complainant have other personal records (pay stubs, log books, etc.) he/she can provide?	<input type="checkbox"/>	<input type="checkbox"/>
Was/is the complainant an Apprentice?	<input type="checkbox"/>	<input type="checkbox"/>	Were fringe benefits paid?	<input type="checkbox"/>	<input type="checkbox"/>

If fringe benefits were paid, check all that apply:

- Cash in lieu of fringe benefits
 Life insurance
 Pension
 Health insurance
 Dental insurance
 Holiday/Sick/Vacation

Identify other fringe benefits paid

Names of others affected by the alleged violation(s)

Names of others who can verify/attest to the complainant's allegations

- Continuation sheets attached
 Complainant's personal interview attached

Complaint taken by:

Name (print clearly)	Phone number (including area code) and E-mail address
Title	Agency, office
Signature	Date

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. The information is considered sensitive and will not be released without your approval. Provision of this information is voluntary. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget (OMB) control number. HUD and local agencies administering HUD-assisted programs must enforce Federal wage and reporting requirements on covered HUD-assisted construction and maintenance work. Enforcement activities include collecting information from laborers and mechanics and other interested parties regarding information about their employment on covered projects.

Job Site Posters & Labor Standards Provisions

Actual job site posters and Federal Labor Standards provisions will be sent to you along with the wage determination, payroll forms and other labor materials. These links are provided for your reference.

Job site posters are to be posted prominently at the job site where they can be seen by employees and applicants for employment.

WHD 1321 -- Employee Rights Poster - English

<https://www.dol.gov/whd/regs/compliance/posters/fedprojc.pdf>

WHD 1321 -- Employee Rights Poster – Spanish

<https://www.dol.gov/whd/regs/compliance/posters/davispan.pdf>

OSHA -- Job Safety and Health – It’s The Law – English

<https://www.osha.gov/Publications/osha3165.pdf>

OSHA -- Job Safety and Health – It’s The Law – Spanish

<https://www.osha.gov/Publications/osha3167.pdf>

OFCCP Equal Employment Opportunity Is The Law - English

https://www.eeoc.gov/sites/default/files/migrated_files/employers/eeoc_self_print_poster.pdf

OFCCP Equal Employment Opportunity Is The Law - Spanish

https://www.eeoc.gov/sites/default/files/migrated_files/employers/eeoc_self_print_poster_spanish.pdf

HUD Form 928.1 -- Equal Housing Opportunity - English

<https://www.hud.gov/sites/documents/928.1.PDF>

HUD Form 928.1A -- Equal Housing Opportunity - Spanish

<https://www.hud.gov/sites/documents/SPANISH.PDF>

Please note that Federal Labor Standards provisions, in their entirety, must be included with all bid documents and contracts.

HUD-4010 - Federal Labor Standards Provisions

<https://www.hud.gov/sites/documents/4010.PDF>

Required Contract Provisions



REQUIRED CONTRACT LANGUAGE

All project contracts shall contain at a minimum the following provisions, as appropriate.

ALL CONTRACTS

1. Access and Maintenance of Records

The contractor must maintain records, including supporting documentation, for three years from closeout of the grant to the state of Iowa.

At any time during normal business hours and as frequently as is deemed necessary, the contractor shall make available to the Iowa Economic Development Authority, the State Auditor, the General Accounting Office, and the Department of Housing and Urban Development, for their examination, all of its records pertaining to all matters covered by this contract and permit these agencies to audit, examine, make excerpts or transcripts from such records, contract, invoices, payrolls, personnel records, conditions of employment, and all other matters covered by this contract.

2. Civil Rights

The Contractor must comply with the following laws and regulations:

- Title VI of the Civil Rights Act of 1964 (P.L. 88-352).
States that no person may be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, or national origin.
- Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended.
- Federal Executive Order 11063, as amended by Executive Order 12259
Equal Opportunity Housing
- Iowa Civil Rights Act of 1965.
This Act mirrors the Federal Civil Rights Act.
- Section 109 of Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309).
Provides that no person shall be excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of race, color, national origin, sex, age, or handicap under any program or activity funded in part or in whole under Title I of the Act.
- The Age Discrimination Act of 1975, as amended (42 U.S.C. 1601 et seq.)
Provides that no person on the basis of age, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973, as amended (P.L. 93-112, 29 U.S.C. 794).
Provides that no otherwise qualified individual shall solely by reason of his/her handicap be excluded from participation in, be denied the benefits of, or be discriminated against under any program or activity receiving Federal financial assistance.
- Americans with Disabilities Act (P.L. 101-336, 42 U.S.C. 12101-12213)
Provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

- Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

The purpose of section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (section 3) is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.

3. Termination Clause

All contracts utilizing CDBG funds must contain a termination clause that specifies the following:

- Under what conditions the clause may be imposed.
- The form the termination notice must take (e.g., certified letter).
- The time frame required between the notice of termination and its effective date.
- The method used to compute the final payment(s) to the contractor.

4. Certification regarding government-wide restriction on lobbying.

All contracts utilizing CDBG funds must contain the following certification concerning restriction of lobbying:

"The Recipient certifies, to the best of his or her knowledge and belief, that:

- i. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Recipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- ii. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee, or an employee of a Member of congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Federal Lobbying" in accordance with its instruction.
- iii. The Recipient shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure."

5. Lead-Safe Housing Regulations (As applicable)

24 CFR Part 35 et. al.

6. Recycled Materials

The contractor agrees to comply with all the requirements of Code of Iowa chapter 8A.315-317 and Iowa Administrative Code chapter 11-117.6(5) — Recycled Product and Content which states:

When appropriate, specifications shall include requirements for the use of recovered materials and products.

The specifications shall not restrict the use of alternative materials, exclude recovered materials, or require performance standards that exclude products containing recovered materials unless the subrecipient seeking the product can document that the use of recovered materials will impede the intended use of the product.

7. Notice of Awarding Agency Requirements and Regulations Pertaining to Reporting

The Contractor must provide information as necessary and as requested by the Iowa Economic Development Authority for the purpose of fulfilling all reporting requirements related to the CDBG program.

ALL CONTRACTS IN EXCESS OF \$10,000

Federal Executive Orders 11246 and 11375:

Provides that no one be discriminated in employment.

"During the performance of this contract, the contractor agrees as follows:

- (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- (3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of the Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- (5) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor,

or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

- (6) In the event of the contractor's non-compliance with the nondiscrimination clause of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- (7) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

ALL CONTRACTS IN EXCESS OF \$100,000

Clean Air and Water Acts:

- Section 306 of the Clean Air Acts (42 U.S.C. 1857(h)).
- Section 508 of the Clean Water Act (33 U.S.C. 1368).
- Executive Order 11738. *Providing administration of the Clean Air and Water Acts*

Clean Air and Water Acts - required clauses:

This clause is required in all third party contracts involving projects subject to the Clean Air Act (42 U.S.C. 1857 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and the regulations of the Environmental Protection Agency with respect to 40 CFR Part 15, as amended. It should also be mentioned in the bid document.

During the performance of this contract, the CONTRACTOR agrees as follows:

- (1) The CONTRACTOR will certify that any facility to be utilized in the performance of any nonexempt contract or subcontract is not listed on the Excluded Party Listing System pursuant to 40 CFR 32.
- (2) The CONTRACTOR agrees to comply with all the requirements of Section 114 of the Clean Air Act, as amended, (42 U.S.C. 1857c-8) and Section 308 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1318) relating to inspection, monitoring, entry, reports, and information, as well as all other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder.
- (3) The CONTRACTOR agrees that as a condition for the award of the contract, prompt notice will be given of any notification received from the Director, Office of Federal Activities, Environmental Protection Agency, indicating that a facility utilized or to be utilized for the contract is under consideration to be listed on the Excluded Party Listing System.
- (4) The CONTRACTOR agrees that it will include or cause to be included the criteria and requirements in Paragraph (1) through (4) of this section in every nonexempt subcontract and require every subcontractor to take such action as the Government may direct as a means of enforcing such provisions.

ALL CONSTRUCTION CONTRACTS IN EXCESS OF \$2,000

Federal Labor Standards

In addition to the preceding provisions, all construction contracts in excess of \$2,000 must include the Federal Labor Standards Provisions (verbatim) found in Appendix 2 under Required Contract Provisions. (Housing rehabilitation contracts of less than 8 units are excluded from this requirement.)

Federal Labor Standards Provisions (verbatim) found in Appendix 2, including:

- Davis-Bacon and Related Acts
- Contract Work Hours and Safety Standard Act
- Copeland Anti-kickback Act

Acquisition



WHEN A PUBLIC AGENCY ACQUIRES YOUR PROPERTY

U.S. Department of Housing
And Urban Development
Office of Community Planning and Development

www.hud.gov/relocation

Introduction

This booklet describes important features of the **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, as amended (URA) and provides general information about public acquisition of real property (real estate) that should be useful to you.

Most acquisitions of real property by a public agency for a Federal project or a project in which Federal funds are used are covered by the URA. If you are notified that your property will be acquired for such a project, it is important that you learn your rights under this important law.

This booklet may not answer all of your questions. If you have more questions about the acquisition of your property, contact the Agency responsible for the project. (Check the back of this booklet for the name of the person to contact at the Agency.) Ask your questions before you sell your property. Afterwards, it may be too late.

General Questions

What Right Has Any Public Agency To Acquire My Property?

The Federal Government and every State government have certain powers which are necessary for them to operate effectively. For example, they have the power to levy taxes and the power to maintain order. Another government power is the power to acquire private property for public purposes. This is known as the power of eminent domain.

The rights of each of us are protected, however, by the Fifth and Fourteenth Amendments of the U.S. Constitution and by State constitutions and eminent domain laws which guarantee that if a public agency takes private property it must pay "just compensation" to the owner. The URA provides additional protections, as explained in this booklet.

Who Made The Decision To Buy My Property?

The decision to acquire a property for a public project usually involves many persons and many determinations. The final determination to proceed with the project is made only after a thorough review which may include public hearings to obtain the views of interested citizens.

If you have any questions about the project or the selection of your property for acquisition, you should ask a representative of the Agency which is responsible for the project.

How Will The Agency Determine How Much To Offer Me For My Property?

Before making you an offer, the Agency will obtain at least one appraisal of your property by a competent real property appraiser who is familiar with local property values. The appraiser will inspect your property and prepare a report that includes his or her professional opinion of its current fair market value. After the appraiser has completed his work, a review appraiser will examine the appraisal report to assure that the estimate is fair and the work conforms with professional appraisal standards.

The Agency must offer you "just compensation" for your property. This amount cannot be less than the appraised fair market value of the property. "Just compensation" for your property does not take into account your relocation needs. If you are eligible for relocation assistance, it will be additional.

What Is Fair Market Value?

Fair market value is sometimes defined as that amount of money which would probably be paid for a property in a sale between a willing seller, who does not have to sell, and a willing buyer, who does not have to buy. In some areas a different term or definition may be used.

The fair market value of a property is generally considered to be "just compensation." Fair market value does not take into account intangible elements such as sentimental value, good will, business profits, or any special value that your property may have for you or for the Agency.

How Does An Appraiser Determine The Fair Market Value Of My Property?

Each parcel of real property is different and therefore no single formula can be devised to appraise all properties. Among the factors an appraiser typically considers in estimating the value of real property are:

- How it compares with similar properties in the area that have been sold recently.
- How much rental income it could produce.
- How much it would cost to reproduce the buildings and other structures, less any depreciation.

Will I Have A Chance To Talk To The Appraiser?

Yes. You will be contacted and given the opportunity to accompany the appraiser on his or her inspection of your property. You may then inform the appraiser of any special features which you believe may add to the value of your property. It is in your best interest to provide the appraiser with all the useful information you can in order to insure that nothing of allowable value will be overlooked. If you are unable to meet with the appraiser, you may wish to have a person who is familiar with your property represent you.

How Soon Will I Receive A Written Purchase Offer?

Generally, this will depend on the amount of work required to appraise your property. In the case of a typical single-family house, it is usually possible to make a written purchase offer within 45 to 60 days of the date an appraiser is selected to appraise the property.

Promptly after the appraisal has been reviewed (and any necessary corrections obtained), the Agency will determine just compensation and give you a written purchase offer in that amount along with a "summary statement," explaining the basis for the offer. No negotiations are to take place before you receive the written purchase offer and summary statement.

What Is In The Summary Statement Of The Basis For The Offer Of Just Compensation?

The summary statement of the basis for the offer of just compensation will include:

- An accurate description of the property and the interest in the property to be acquired.
- A statement of the amount offered as just compensation. (If only part of the property is to be acquired, the compensation for the part to be acquired and the compensation for damages, if any, to the remaining part will be separately stated.)
- A list of the buildings and other improvements covered by the offer. (If there is a separately held interest in the property not owned by you and not covered by the offer (e.g., a tenant-owned improvement), it will be so identified.)

Must I Accept The Agency's Offer?

No. You are entitled to present your evidence as to the amount you believe is the fair market value of your property and to make suggestions for changing the terms and conditions of the offer. The Agency will consider your evidence and suggestions. When fully justified by the available evidence of value, the offer price will be increased.

May Someone Represent Me During Negotiations?

Yes. If you would like an attorney or anyone else to represent you during negotiations, please inform the Agency. However, the URA does not require the Agency to pay the costs of such representation.

If I Reach Agreement With The Agency, How Soon Will I Be Paid?

If you reach a satisfactory agreement to sell your property and your ownership (title to the property) is clear, payment will be made at a mutually acceptable time. Generally, this should be possible within 30 to 60 days after you sign a purchase contract. If the title evidence obtained by the Agency indicates that further action is necessary to show that your ownership is clear, you may be able to hasten the payment by helping the Agency obtain the necessary proof. (Title evidence is basically a legal record of the ownership of the property. It identifies the owners of record and lists the restrictive deed covenants and recorded mortgages, liens, and other instruments affecting your ownership of the property.)

What Happens If I Don't Agree To The Agency's Purchase Offer?

If you are unable to reach an agreement through negotiations, the Agency may file a suit in court to acquire your property through an eminent domain proceeding. Eminent domain proceedings are often called condemnations. If your property is to be acquired by condemnation, the Agency will file the condemnation suit without unreasonable delay.

An Agency may also decide not to buy your property, if it cannot reach agreement on a price, and find another property to buy instead.

What Happens After The Agency Condemns My Property?

You will be notified of the action. Condemnation procedures vary, and the Agency will explain the procedures which apply in your case.

Generally, when an Agency files a condemnation suit, it must deposit with the court (or in an escrow account) an amount not less than its appraisal of the fair market value of the property. You should be able to withdraw this amount, less any amounts necessary to pay off any mortgage or other liens on the property and to resolve any special ownership problems. Withdrawal of your share of the money will not affect your right to seek additional compensation for your property.

During the condemnation proceeding, you will be provided an opportunity to introduce your evidence as to the value of your property. Of course, the Agency will have the same right. After hearing the evidence of all parties, the court will determine the amount of just compensation. If that amount exceeds the amount deposited by the Agency, you will be paid the difference, plus any interest that may be provided by law.

To help you in presenting your case in a condemnation proceeding, you may wish to employ an attorney and an appraiser. However, in most cases the costs of these professional services and other costs which an owner incurs in presenting his or her case to the court must be paid by the owner.

What Can I Do If I Am Not Satisfied With The Court's Determination?

If you are not satisfied with the court judgment, you may file an appeal with the appropriate appellate court for the area in which your property is located. If you are considering an appeal, you should check on the applicable time limit for filing the appeal and consult with your attorney on whether you have a basis for the appeal. The Agency may also file an appeal if it believes the amount of the judgment is too high.

Will I Have To Pay Any Closing Costs?

You will be responsible for the payment of the balance on any mortgage and other liens on your property. Also, if your ownership is not clear, you may have to pay the cost of clearing it. But the Agency is responsible for all reasonable and necessary costs for:

- Typical legal and other services required to complete the sale, recording fees, revenue stamps, transfer taxes and any similar expenses which are incidental to transferring ownership to the Agency.
- Penalty costs and other charges related to prepayment of any recorded mortgage on the property that was entered into in good faith.
- Real property taxes covering the period beginning on the date the Agency acquires your property.

Whenever possible, the Agency will make arrangements to pay these costs directly. If you must incur any of these expenses yourself, you will be repaid--usually at the time of closing. If you later discover other costs for which you should be repaid, you should request repayment from the Agency immediately. The Agency will assist you in filing a claim. Finally, if you believe that you were not properly repaid, you may appeal the decision to the Agency.

May I Keep Any Of The Buildings Or Other Improvements On My Property?

Very often, many or all of the improvements on the property are not required by the Agency. This might include such items as a fireplace mantel, your favorite shrubbery, or even an entire house. If you wish to keep any improvements, please let the Agency know as soon as possible.

If you do arrange to keep any improvement, the Agency will deduct only its salvage value from the purchase price you would otherwise receive. (The salvage value of an item is its probable selling price if offered for sale on the condition that the buyer will remove it at his or her own expense.) Of course, if you arrange to keep any real property improvement, you will not be eligible to receive a relocation payment for the cost of moving it to a new location.

Can The Agency Take Only A Part Of My Property?

Yes. But if the purchase of only a part of your property reduces the value of the remaining part(s), you will be paid for the loss in value. Also, if any remaining part would have little or no utility or value to you, the Agency will offer to buy that remaining part from you.

Occasionally, a public project will increase the value of the part which is not acquired by the Agency. Under some eminent domain laws, the amount of such increase in value is deducted from the purchase payment the owner would otherwise receive.

Will I Have To Pay Rent To The Agency After My Property Is Acquired?

If you remain on the property after the acquisition, you may be required to pay a fair rent to the Agency. Such rent will not exceed that charged for the use of comparable properties in the area.

How Soon Must I Move?

If possible, a mutually agreeable date for the move will be worked out. Unless there is an urgent need for your property (e.g., your occupancy would present a health or safety emergency), you will not be required to move without at least 90 days advance written notice.

If you reach a voluntary agreement to sell your property, you will not be required to move before you receive the agreed purchase price. If the property is acquired by condemnation, you cannot be required to move before the estimated fair market value of the property has been deposited with the court so that you can withdraw your share.

If you are being displaced from your home, you will not be required to move before a comparable replacement home is available to you.

Will I Receive Relocation Assistance?

Title II of the URA requires that certain relocation payments and other assistance must be provided to families, individuals, businesses, farms, and nonprofit organizations when they are displaced or their personal property must be moved as a result of a project that is covered by the URA.

The Agency will furnish you a full explanation of any relocation assistance to which you may be entitled. If you have any questions about such assistance, please contact the Agency. In order for the Agency to fulfill its relocation obligations to you, you must keep the Agency informed of your plans.

My Property Is Worth More Now. Must I Pay Capital Gains Tax On The Increase?

Internal Revenue Service (IRS) Publication 544 explains how the Federal income tax would apply to a gain or loss resulting from the sale or condemnation of real property, or its sale under the threat of condemnation, for public purposes. If you have any questions about the IRS rules, you should discuss your particular circumstances with your personal tax advisor or your local IRS office.

I'm A Veteran. How About My VA Loan?

After your VA home mortgage loan has been repaid, you will be permitted to obtain another VA loan to purchase another property. Check on such arrangements with your nearest Veterans Administration Office.

Is It Possible To Donate Property?

Yes. You may donate your property or sell it to the Agency for less than its fair market value. The Agency must obtain an appraisal of the property and offer just compensation for it, unless you release the Agency from these obligations.

Additional Information

If you have any questions after reading this booklet, contact the Agency and discuss your concerns with the Agency representative.

Agency:

Address:

Office Hours:

Telephone Number:

Person to Contact:

GENERAL URA ACQUISITION PROCESS

(Refer to 49 CFR 24 Subpart B for detailed acquisition requirements)

49 CFR 24.101(b)(1)-(5)	49 CFR 24.101(a) & (b)
<i>Determine if proposed acquisition satisfies criteria and requirements of 24.101(b)(1)-(5). If acquisition does not meet criteria (e.g., is subject to threat or use of eminent domain), refer to involuntary acquisition process and comply with 49 CFR 24 Subpart B requirements.</i>	<i>Determine if proposed acquisition is subject to threat or use of eminent domain. If not subject to eminent domain, refer to voluntary acquisition process and comply with applicable requirements of 49 CFR 24.101(b)(1)-(5). Involuntary Process</i>
24.101(b)(1) - Agencies with eminent domain authority but will not use: must meet all conditions of 24.101(b)(1)(i) – (iv). (see esp. 24.101(b)(1)(i) & (ii))	* Notify owner of agency’s interest in acquiring property and protections under the Uniform Act (see 24.102(b)) (Optional: issue Notice of Intent to Acquire (see 24.203(d))
* Agency will not acquire property if negotiations fail, and owner is so informed in writing (see 24.101(b)(1)(iii))	* Appraise property and invite owner to accompany appraiser (see 24.102(c))
* Agency informs owner in writing of property’s estimated market value (see 24.101(b)(iv))	* Review the appraisal (see 24.104)
* Owner/s & owner occupants not eligible for relocation assistance / displaced tenants may be eligible (see 24.2(a)(9)(ii))	* Establish estimate of just compensation for property (see 24.102(d))
24.101(b)(2) – Agencies or persons without eminent domain authority:	* Provide owner with written offer and summary statement for property (see 24.102(e))
* Prior to offer, inform owner unable to acquire if negotiations fail (see 24.101(b)(2)(i))	* Negotiate with owner for purchase of property (see 24.102(f))
* Inform owner of property’s estimated market value (see 24.101(b)(2)(ii))	* If negotiations successful, complete sale and reimburse property owner for related incidental expenses (see 24.106)
* Owner/s & owner occupants not eligible for relocation assistance / displaced tenants are eligible (see 24.2(a)(9)(ii))	* If negotiations unsuccessful, consider an administrative settlement (see 24.102(i))
24.101(b)(3) – Acquisition from a Federal agency, State, or State agency, if acquiring agency without eminent domain authority:	* If negotiations still unsuccessful, consider acquiring property through eminent domain.
* Owner/s & owner occupants not eligible for relocation assistance / displaced tenants are eligible (see 24.2(a)(9)(ii))	* Displaced persons eligible for relocation assistance (see 24.2(a)(9)(i))

Helpful Acquisition Information

Appraisal Standards: Appraisals conducted for the acquisition of property for federal funded projects must follow nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisition. These standards can be found at www.usdoj.gov/enrd/land-ack. At a minimum a detailed appraisal shall contain the following items:

1. The purpose and/or the function of the appraisal, a definition of the estate being appraised, and a statement of the assumptions and limiting conditions affecting the appraisal.
2. An adequate description of the physical characteristics of the property being appraised (and, in the case of a partial acquisition, an adequate description of the remaining property), a statement of the known and observed encumbrances, if any, title information, location, zoning, present use, an analysis of highest and best use, and at least a 5-year sales history of the property.
3. All relevant and reliable approaches to value consistent with commonly accepted professional appraisal practices. When sufficient market sales data are available to reliably support the fair market value for the specific appraisal problem encountered, the Agency, at its discretion, may require only the market approach. If more than one approach is utilized, there shall be an analysis and reconciliation of approaches to value that are sufficient to support the appraiser's opinion of value.
4. A description of comparable sales, including a description of all relevant physical, legal, and economic factors such as parties to the transaction, source and method of financing, and verification by a party involved in the transaction.
5. A statement of the value of the real property to be acquired and, for a partial acquisition, a statement of the value of the damages and benefits, if any, to the remaining real property, where appropriate.
6. The effective date of valuation, date of appraisal, signature, and certification of the appraiser.

Summary Statement of the Basis of Just Compensation: Along with the written purchase offer, a statement of just compensation shall be sent to the property owner. This written explanation of the purchase offer shall include:

1. A statement of the amount offered as just compensation. In the case of a partial acquisition, the compensation for the real property to be acquired and the compensation for damages, if any, to the remaining real property shall be separately stated.
2. A description and location identification of the real property and the interest in the real property to be acquired.
3. An identification of the buildings, structures, and other improvements (including removable building equipment and trade fixtures) which are considered to be part of the real property for which the offer of just compensation is made. Where appropriate, the statement shall identify any separately held ownership interest in the property, e.g., a tenant-owned improvement, and indicate that such interest is not covered by the offer.

Expenses Paid by the Recipient to Transfer the Title: Whenever feasible, the Agency shall pay costs associated with transfer of title directly so that the owner will not have to pay such costs and then seek reimbursement. The owner of the real property shall be reimbursed for all reasonable expenses the owner necessarily incurred for:

1. Recording fees, transfer taxes, documentary stamps, evidence of title, boundary surveys, legal descriptions of the real property, and similar expenses incidental to conveying the real property to the Agency. However, the Agency is not required to pay costs solely required to perfect the owner's title to the real property; and
2. Penalty costs and other charges for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the real property; and the pro rata portion of any prepaid real property taxes which are allocable to the period after the Agency obtains title to the property or effective possession of it, whichever is earlier.

GUIDEFORM NOTICE TO OWNER
- INVOLUNTARY ACQUISITION -
(Threat/Use Of Eminent Domain)

Grantee or Agency Letterhead

(date)

Dear _____:

(City, County, State, Tribe, other) _____, is interested in acquiring property you own at (address) _____ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the _____ program.

The purpose of this notice is to inform you of your rights under a federal law known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). Enclosed is a HUD brochure entitled "When A Public Agency Acquires Your Property". This brochure provides useful information about the public acquisition of real property (real estate) under the URA. At this stage, your property is only under consideration for acquisition. This notice is not a contractual offer or commitment to purchase your property.

If your property is selected for acquisition, under the URA, you will have the right to receive just compensation for your property. In order to determine the amount of just compensation to be offered to you, an appraisal of your property would be required. In such a case, an appraiser will contact you to provide you an opportunity to accompany him or her on the inspection of your property. It would be in your best interest to accompany the appraiser during the property inspection so that you can point out any unique features of your property which should be considered in the valuation process and so that you can also answer any questions the appraiser may have.

For your information, (City, County, State, Tribe, other) _____ possesses eminent domain authority to acquire the property needed for this project, however, our goal is to attempt to negotiate amicable agreements for all property acquisitions prior to its use. If negotiations fail, acquisition under eminent domain may be considered.

If you have any questions about this notice or the proposed project, please contact (name) _____, (title) _____, (address) _____, (phone) _____.

Sincerely,
(name and title) _____

Enclosure

NOTES.

1. The case file must indicate the manner in which this notice was delivered (e.g., certified mail, return receipt requested) and the date of delivery.
2. This is a guideform. It should be revised to reflect the circumstances.

GUIDEFORM
- VOLUNTARY ACQUISITION –
Informational Notice
(Agencies Without Eminent Domain Authority)

Grantee or Agency Letterhead

(date)

Dear _____:

(Name of Agency/Person) _____, is interested in acquiring property you own at (address) _____ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD).

Please be advised that (Name of Agency/Person) _____ does not have authority to acquire your property by eminent domain. In the event we cannot reach an amicable agreement for the purchase of your property, we will not pursue this proposed acquisition.

We are prepared to offer you (\$) _____ to purchase your property. We believe this amount represents the current market value of your property. Please contact us at your convenience if you are interested in selling your property.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), owner-occupants who move as a result of a voluntary acquisition are not eligible for relocation assistance.

If you have any questions about this notice or the proposed project, please contact (name) _____, (title) _____, (address) _____, (phone) _____.

Sincerely,

(name and title) _____

NOTES.

1. The case file must indicate the manner in which this notice was delivered (e.g., certified mail, return receipt requested) and the date of delivery.
2. Tenant-occupants displaced as a result of a voluntary acquisition may be entitled to URA relocation assistance and must be so informed per 49 CFR 24.2(a)(15)(iv) – Initiations of negotiations, and 49 CFR 24 Appendix A - 24.2(a)(15)(iv).
3. URA does not require that the amount of the offer equal the fair market value.
4. This is a guideform. It should be revised to reflect the circumstances.

Examples of suggested wording:

“The sale is voluntary. If you do not wish to sell, the {CDBG Recipient or Subrecipient} will not acquire the property.”

“The {CDBG RECIPIENT} will not use the power of eminent domain to acquire the property.”

“The {Subrecipient} does not have the power to acquire your property by condemnation.”

“We estimate the fair market value of the property to be \${Dollar Amount}.”

GUIDEFORM
-VOLUNTARY ACQUISITION -
- Informational Notice -
(Agencies With Eminent Domain Authority)

Grantee or Agency Letterhead

(date)

Dear _____:

(City, County, State, other) _____, is interested in acquiring property you own at (address) _____ for a proposed project which may receive funding assistance from the U.S. Department of Housing and Urban Development (HUD) under the _____ program.

Please be advised that, (City, County, State, other) _____ possesses eminent domain authority to acquire property, however, in the event you are not interested in selling your property, or if we cannot reach an amicable agreement for the purchase of your property, we will not pursue its acquisition under eminent domain.

Your property is not a necessary part of the proposed project and is not part of an intended, planned, or designated project area where substantially all of the property within the area is to be acquired.

We are prepared to offer you (\$)_____ to purchase your property. We believe this amount represents the current market value of your property. Please contact us at your convenience if you are interested in selling your property.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), owner-occupants who move as a result of a voluntary acquisition are not eligible for relocation assistance.

If you have any questions about this notice or the proposed project, please contact (name)_____, (title)_____, (address)_____, (phone)_____.

Sincerely,

(name and title)_____

NOTES.

1. The case file must indicate the manner in which this notice was delivered (e.g., certified mail, return receipt requested) and the date of delivery.
2. Tenant-occupants displaced as a result of a voluntary acquisition may be entitled to URA relocation assistance and must be so informed per 49 CFR 24.2(a)(15)(iv) – Initiations of negotiations, and 49 CFR 24 Appendix A - 24.2(a)(15)(iv).
3. This guideform may only be used if all of the requirements of 49 CFR 24.101(b)(1)(i)-(iv) are met.
4. URA does not require that the amount of the offer equal the estimated Fair Market Value.
5. This is a guideform. It should be revised to reflect the circumstances.

Examples of suggested wording:

“The sale is voluntary. If you do not wish to sell, the {CDBG Recipient} will not acquire your property.”

“The {CDBG Recipient} will not use the power of eminent domain to acquire your property.”

“We estimate the fair market value of the property to be \${Dollar Amount}.”

HUD handbooks and forms for relocation activities

Brochures (to be referred to and provided to individuals/entities impacted by relocation)

Relocation Assistance to Displace Homeowners- HUD- 1044-CPD (6/2016)

http://portal.hud.gov/hudportal/documents/huddoc?id=1044cpd.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553

Relocation Assistance to Tenants Displaced From Their Homes- HUD-1042-CPD (6/2016)

http://portal.hud.gov/hudportal/documents/huddoc?id=1042cpd.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553

Relocation Assistance to Displaced Businesses, Nonprofit Organizations, and Farms- HUD-1043-CPD (6/2016)

http://portal.hud.gov/hudportal/documents/huddoc?id=1043cpd.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553

HUD handbooks and forms for acquisition/relocation activities

Forms

Claim for Temporary Relocation Expenses (Residential Moves)- Form HUD-40030 (6/2016)

[http://portal.hud.gov/hudportal/documents/huddoc?id=40030.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised HUD URA Relocation Claim Forms a7 12 2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553](http://portal.hud.gov/hudportal/documents/huddoc?id=40030.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553)

Residential Claim for Moving and Related Expenses- Form HUD-40054 (6/2016)

[http://portal.hud.gov/hudportal/documents/huddoc?id=40054.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised HUD URA Relocation Claim Forms a7 12 2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553](http://portal.hud.gov/hudportal/documents/huddoc?id=40054.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553)

Claim for Actual Reasonable Moving and Related Expenses-Nonresidential – Form HUD-40054 (6/2016)

[http://portal.hud.gov/hudportal/documents/huddoc?id=40054.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised HUD URA Relocation Claim Forms a7 12 2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553](http://portal.hud.gov/hudportal/documents/huddoc?id=40054.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553)

Claim for Fixed Payment in Lieu of Payment for Actual Nonresidential Moving and Related Expenses- Form HUD-40056 (6/2016)

[http://portal.hud.gov/hudportal/documents/huddoc?id=40056.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised HUD URA Relocation Claim Forms a7 12 2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553](http://portal.hud.gov/hudportal/documents/huddoc?id=40056.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553)

Claim for Replacement Housing Payment for 90-Day Homeowner-Occupant- Form HUD-40057 (6/2016)

[http://portal.hud.gov/hudportal/documents/huddoc?id=40057.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised HUD URA Relocation Claim Forms a7 12 2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553](http://portal.hud.gov/hudportal/documents/huddoc?id=40057.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553)

Claim for Rental Assistance or Down Payment Assistance- Form HUD 40058 (6/2016)

[http://portal.hud.gov/hudportal/documents/huddoc?id=40058.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised HUD URA Relocation Claim Forms a7 12 2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553](http://portal.hud.gov/hudportal/documents/huddoc?id=40058.pdf&utm_source=HUD+Exchange+Mailing+List&utm_campaign=c5000bd810-Revised+HUD+URA+Relocation+Claim+Forms+a7+12+2016&utm_medium=email&utm_term=0_f32b935a5f-c5000bd810-19240553)