



ST. CLAIR COUNTY, ILLINOIS

COMMUNITY DEVELOPMENT BLOCK GRANT

DISASTER RECOVERY

POLICIES & PROCEDURES MANUAL

FINANCIAL ADMINISTRATION AND MANAGEMENT

OF THE

HUD DISASTER RECOVERY COMMUNITY DEVELOPMENT BLOCK GRANT

SECTION 1: INTRODUCTION

This document is to provide guidance for the St. Clair County Intergovernmental Grants Department that will assist in carrying out its financial and programmatic responsibilities under Community Development Block Grant Disaster Recovery Grants (CDBG-DR).

The detailed administrative requirements of the Office of Management and Budget 29 CFR Part 95, Uniform Administrative Requirements for Grants and Agreements, 2 CFR Part 200 (as applicable), and 24 CFR Part 570 are adhered to.

SECTION 2: FINANCIAL MANAGEMENT SYSTEM

The following parts detail financial management systems that will be utilized to maximize compliance and efficiency. Please refer to St. Clair County Intergovernmental Grants Department Financial Policies and Procedures.

SECTION 3: DOCUMENT CONTROL, WEBSITE AND REPORTING

All documents used by staff will be standardized, properly documented, recorded, and auditable. Documents will be placed on the St. Clair County Intergovernmental Grants website under the CDBG-DR file. Records, applications, and support documents related to the grant shall be retained for the greater of seven years from close-out of DR grant award, final audit acceptance, or the period required by other applicable laws and regulations. Files will consist of source documentation, including contracts and sub grant awards and will be maintained in hard copy files. The County's MIP system will also retain all source documentation and accounting records for the same period.

A quarterly performance report will be submitted to HUD no later than 30 days following the end of each quarter after grant award and continuing until all funds have been expended and all accomplishments have been reported. Each quarterly report will include information about the uses of funds during the applicable quarter including (but not limited to) the project name, activity, location, and national objective; funds budgeted, obligated, drawn down and expended; the funding source and total amount of any non-CDBG-DR funds to be expended on each activity; beginning and completion dates of activities; achieved performance outcomes; status of quarterly spending estimates and completion targets for each project; and the race and ethnic status of persons assisted under direct-benefit activities. Quarterly reports to HUD will be submitted using the DRGR system and within 3 days the County will post the submitted report to its official website.

The County will maintain on its website critical information on project scope, budget and delivery status. The website, <https://www.co.st-clair.il.us/departments/intergovernmental-grants/communitydevelopment?subDirectory=DocDirWebDocuments\Departments\igd\communityDevelopment\CDBG DR>, will provide access to CDBG-DR plans, project reports the citizen participation plan, procurement policies and procedures, executed contracts paid with CDBG-funds and any request for proposals. All critical information will be updated at least quarterly.

Action Plans, Amendments, Performance Reports including all activities as described in the CDBG-DR Action Plan, and Quarterly Reports will be available on this site.

SECTION 4: OVERALL BENEFIT OF LOW/MOD INCOME PEOPLE

The overall benefit in the Federal Register Notice Vol. 88 No. 96 dated May 18, 2023 provides that 70% of total CDBG-DR funds awarded must benefit low- and moderate-income persons.

SECTION 5: PROGRAM ADMINISTRATION COSTS LIMITATION

In accordance with Federal Notice Vol. 88 No. 96 dated May 18, 2023, Public Law 117-328 no more than 5% of total CDBG-DR grant awards will be used for program administrative costs.

SECTION 6: PUBLIC SERVICE CAP

In accordance with 24 CFR 570.201 no more than 15% of the total amount of CDBG-DR funds will be utilized for Public Services.

SECTION 7: PREVENTING FRAUD, ABUSE OF FUNDS AND DUPLICATION BENEFITS

In order to ensure the proper disbursement of grant funds, the County plans to remain in compliance with applicable CDBG rules and regulations, as well as other applicable federal regulations such as Office of Management and Budget 2 CFR Part 200. The County will particularly emphasize mitigation of fraud, abuse and mismanagement related to accounting, procurement and accountability which may also be investigated. The County will monitor the compliance of applicants and HUD will monitor the County's Disaster Recovery Program.

As provided by the Stafford Act 42 U.S.C. 5121-5207 Section 312 duplication of benefits is prohibited. The Staff will continuously monitor, or cause to be monitored, for compliance with this requirement. FEMA, National Flood Insurance Program, private insurers, the U. S. Army Corps of Engineers, SBA and other agencies will be contacted, and data sharing agreements put into place to ensure that there is no duplication of benefits occurring within the various programs.

CDBG-DR funds will not be used for activities for which funds have been received (or will be received) from FEMA, National Flood Insurance Program, private insurers, the U. S. Army Corps of Engineers, SBA and other agencies. CDBG-DR funds may be used to provide assistance to the extent that a disaster recovery need has not been met by other sources. Applicants for assistance will be required to disclose all sources of assistance applied for, received or to be received on a Duplication of Benefits Form (see DOB policies and procedures). All applicants will sign an application and a contract verifying all sources and an agreement to pay back any or all of the CDBG-DR assistance if additional funding is made available to them during the term of the contract or after the contract expires.

The County will be responsible for verifying the application information before an award is made or a contract is executed. The County will use data from FEMA, SBA, private insurance,

etc., to verify Duplication of Benefits. Unique budget codes will be established for all projects and expenditures will be tracked using MIP software. Any findings of duplicated benefits will be reported by Staff to the Director and Finance who will immediately notify the County's Law department and HUD. Appropriate actions will be taken to reclaim benefits following a full review. The County will be executing agreements with recipients of CDBG-DR funds that will guide recapture of funds if a Duplication of Benefits is discovered after the disbursement of funds.

Steps to Avoid Mismanagement and Abuse of Funds

The County will assess all program policies and procedures from an anti-fraud, waste, and abuse perspective. The County provides anti-fraud training to program staff annually. Anyone with information regarding known or suspected misappropriation of funds or resources is encouraged to report the information to the County by sending a written report via U.S. mail to the following address: St. Clair County Intergovernmental Grants Department, 19 Public Square, Suite 200, Belleville, IL 62220 or contact the HUD OIG Fraud Hotline at 1-800-347-3735 or email hotline@hudoig.gov.

Conflict of Interest

The County does not permit individuals having functions or responsibilities with respect to activities assisted with CDBG, CDBG-DR, COC or HOME funds, or who are in a position to participate in a decision-making process, or gain inside information with regard to these activities, from obtaining a financial interest or benefit from a CDBG, CDBG-DR, CDBG-CV, COC or HOME- assisted activity or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business-ties, during their tenure or for one year thereafter. This provision applies to employees, agents, consultants, officers, or elected/appointed official of the County. Exceptions to this policy can only be approved by HUD upon submission of a written request for an exception.

Applicants having any of the aforementioned positions, relationships or associations that may or could influence the decision-making process or outcome of a request for assistance in any manner, shape or form, must disclose the nature of their association, in order that the appropriate procedure for facilitating assistance may be followed. Failure to disclose this information may cause immediate termination of the application or a return of program funds after the fact.

SECTION 8: FEDERAL DEBARMENT/SUSPENDED LIST

HUD regulations at 24 CFR Part 24 and 24 CFR Part 85.35, prohibit the use of HUD financial assistance to directly or indirectly employ, award contracts to, or otherwise engage the services of, or fund any contractor or developer during any period of debarment, suspension, or placement in ineligibility status.

As part of property-specific CDBG-DR grant or loan agreements, developers and other contractors are required to provide certification that neither the developer/contractor nor its principals are currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in the covered transaction.

The System for Award Management (SAM) (<https://www.sam.gov/portal/SAM/#1>) is an electronic, web-based system that identifies those parties excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits.

SECTION 9: MONITORING

The County will continuously monitor awardees which will provide quality assurance. The County will determine the areas to be monitored, the number of monitoring visits, and their frequency. Any entity administering CDBG-DR funding will be monitored not less than once during the contract period. The monitoring will address program compliance with contract provisions, including national objectives, financial management, and the requirements of 24 CFR Part 58 environmental reviews.

The County through the Intergovernmental Grants Department will oversee all activities and expenditures of the CDBG-DR funds. Existing County employees will be utilized, and additional personnel and contractors may be hired to aid in the administration of, and to carry out, recovery programs. Not only will these personnel remain involved in ensuring that there are layers of financial control, they also will provide technical assistance to the County, and will undertake administrative and monitoring activities to better assure compliance with applicable requirements, including, but not limited to, meeting the disaster threshold, eligibility, national objective compliance, fair housing, nondiscrimination, labor standards, environmental regulations, and procurement regulations at 24 CFR Part 85 and 2 CFR Part 200.

Each activity funded will meet the disaster threshold and one of HUD's three national objectives, with emphasis on achieving the primary national objective of benefiting low- and moderate-income persons and will be an eligible activity. The County will perform the monitoring in accordance with a CDBG-DR monitoring plan.

The County will further maintain a high level of transparency and accountability by using a combination of risk analysis of programs and activities, desk reviews, site visits, and checklists.

The County will determine appropriate monitoring of grants, considering prior grant administration performance, audit findings, as well as factors such as the complexity of the project. The primary purpose of the County's monitoring strategy is to ensure that all projects comply with applicable federal regulations and are effectively meeting their stated goals. The frequency and areas monitored will be determined by a risk analysis. All projects will be monitored at least once on-site during the life of the activity.

The County will determine the areas to be monitored, the number of monitoring visits, and their frequency. The County will continue to follow all guidelines it uses to monitor projects funded under the regular CDBG program. The monitoring will address program compliance with contract provisions, including, but not limited to environmental reviews, fair housing, Section 3 compliance, compliance with the Davis-Bacon Act as well as other labor standard provisions, procurement regulations, fair housing and equal opportunity requirements, and compliance with the 2CFR 200, program income, and other CDBG financial requirements.

The County has an established a monitoring plan in the St. Clair County Financial Procedures document.

Monitoring Objectives

The County's Intergovernmental Grants Department will be knowledgeable about the content and operation of the County's compliance and ethics guidelines. The County CDBG/HOME programs normally do not contract with a sub-recipient but in the event they would the County will exercise reasonable oversight for the implementation and effectiveness of any sub-recipient programs, through the following objectives:

- Assuring that sub-recipients with operational responsibility are monitored through regular ongoing risk assessment; regularly performing and reviewing risk assessments; and recommending and assuring that appropriate steps are taken to design, implement, or modify compliance activities to reduce the compliance risks identified by risk assessments.
- Assuring that compliance roles and responsibilities are clearly established across the sub- recipient's system and that due care is taken in delegating substantial authority.
- Assuring that sub-recipients implement standards of conduct, policies, procedures and internal control systems reasonably capable of ensuring compliance and reducing misconduct within their organization.
- Exercising reasonable oversight over compliance activities, to include requesting and receiving information on the implementation and effectiveness of the compliance and ethics program from individuals with day-to-day operational responsibility.
- Assuring that the sub-recipients compliance standards, procedures and expectations, are effectively communicated through technical assistance and other appropriate means.
- Assuring that reasonable steps have been taken to achieve compliance with regulations, policies, and procedures throughout the sub-recipient's organization using reasonably designed auditing and monitoring systems as well as periodic evaluation of the compliance program's effectiveness.
- Assuring that sub-recipients maintain an effective mechanism for employees to report or seek guidance regarding potential or actual wrongdoing, including mechanisms to allow

for anonymous reporting, and appropriate safeguards to protect against potential retaliation.

- Assuring that compliance is promoted and enforced consistently throughout the sub-recipient agency.
- Reporting on the implementation and effectiveness of the compliance program.
- Taking such other actions, or making such other recommendations, as are necessary to promote an ethical organizational culture.

Team Members

Monitoring will be carried out primarily by the CDBG-DR staff, Project Coordinator and the Fiscal Manager. The Director will oversee all monitoring activities. The Project Coordinator will report directly to the Director on all monitoring issues.

Monitoring Activities

The monitoring activities will consist of comprehensive and thorough procedures to meet the monitoring objectives above. These procedures and monitoring activities will be documented through the project life cycle and will vary according to their need. The CDBG-DR staff, Project Coordinator and the Fiscal staff will conduct reviews, monitoring, and internal audits of sub-recipients at the Intergovernmental Grants Department Office and onsite if necessary.

SECTION 10: TIMELINESS OF EXPENDITURES

The County uses regular monitoring and reporting to ensure that timeliness standards are met. The CDBG-DR Action Plan in DRGR will provide quarterly spending estimates and completion targets for each project. The CDBG-DR staff/Project Coordinator will track expenditure and completion targets on a monthly basis. At the time of each quarterly report in DRGR, the CDBG-DR staff/Project Coordinator will compare the actual expenditures and completion rates against the projected expenditures and completion rates within DRGR. The CDBG-DR staff/Project Coordinator will identify any discrepancies. Where there are discrepancies, the CDBG-DR staff and the Project Coordinator will work with sub-recipients to create a plan to return to the anticipated schedule or revise the schedule as necessary. Adjustments and revisions will be submitted to the CDBG-DR staff and Project Coordinator for pre-approval before moving forward to the Executive Director for final approval. Once approved, the adjustments and revisions will be entered into DRGR. Where projects become stalled and will be unable to be completed timely, the Project Coordinator/ Fiscal Manager will reprogram funds to a different activity within the current Action Plan. All revisions will be entered into DRGR by the Community Development Specialist in the next quarter after the project/activity has been cancelled and funds have been identified. The County does not anticipate receiving program income however, should program income be received the County will utilize CDBG-DR program income prior to drawing additional grant funds from the line of credit.

The County requires that each recipient/sub-recipient performs all projects in a timely manner meeting all reporting and compliance measures. The County requires recipient/sub-recipients to demonstrate capabilities and capacity to perform all duties required by contract with the County.

SECTION 11: AUDITS

Please refer to St. Clair County Financial procedures.

Audit Requirements

Audits are required for non-Federal entities that expend more than \$750,000 or more in a year of Federal awards. The County undertakes an annual outside audit performed according to the standards of 2 CFR Part 200.501. An outside audit pursuant to 2 CFR Part 200.501 is required for all sub-recipients expending \$750,000 or more a year. This requirement is included in all agreements. Audits must be undertaken annually.

Uniform Administration Requirements

The County complies with requirements set forth in the following: 2 CFR Part 200. This guidance establishes uniform administrative requirements, cost and audit requirements for Federal awards to all non-Federal entities. Nonprofit sub-recipients must comply with these requirements as well.

SECTION 12: FAIR HOUSING & EQUAL OPPORTUNITY EMPLOYMENT

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability).

The County is committed to the spirit and intent of these various laws, rules and regulations in the administration and operation of this program and will strive to ensure that all applicants receive fair access and treatment in the receipt and review of all applications in response to request for assistance and in the distribution of its funding resources for programs and services based on availability. The County will make every effort to ensure access to programs/projects by all clients including members of protected classes, vulnerable populations and individuals from underserved communities.

SECTION 13: UNIFORM RELOCATION REQUIREMENTS

The County shall ensure that it has taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, non-profit organizations, and farms) as a result of CDBG activities pursuant to 24 CFR 570.606.

When contemplating any project or program, the County shall:

- Gather complete information identifying all tenants and owners who might be affected.
- Immediately inform any tenant or owner that they are entitled to information and counseling and they should not move unless specifically required to do so until they have received formal notices. Inform them that moving before that has occurred may cause them to give up rights.

Generally, a displaced person under the URA is an individual, family, partnership, association, corporation, or organization which moves from their home, business, or farm or move their personal property, as a direct result of acquisition, demolition, or rehabilitation for a federally funded project. Relocation of displaced persons shall be in conformance with Section 104(d) of the Housing and Community Development Act and the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 as amended, except for the waivers granted in the Federal Register Notice Vol. 88 No. 96 dated May 18, 2023.

SECTION 14: FEDERAL LABOR STANDARDS & DAVIS-BACON WAGE RATES

Federal labor standards provisions are applicable to construction work financed in whole or in part with CDBG-DR funds, except that construction work involving residential property with less than 8 units is exempt. Federal labor standards provisions involve 3 key requirements:

1. Payment of not less than prevailing (Davis-Bacon) wage rates to all laborers and mechanics employed by contractors and subcontractors;
2. Compensation for overtime hours (hours worked over 40 in a workweek at the site of the covered work) at no less than 1 ½ the regular basic rate of pay;
3. The certification and submission of weekly payroll reports for each week work is performed at the site of the covered work.

Both Federal and State Labor Standards and Prevailing Wages are included in all CDBG-DR bids and contracts distributed by the County. Contractors are required to submit weekly certified payroll forms throughout the duration of work performed that document prevailing wages paid to all eligible employees. Certified payroll forms are reviewed by the Project Manager for compliance with both federal and state prevailing wage requirements. Original certified payroll documents are retained by the County.

SECTION 15: INSURANCE REQUIREMENTS

All Contractors/Vendors/Developers/Sub-recipients, with the exclusion of internal County Departments, that will be receiving and/or administering CDBG-DR funds shall provide certificates of such insurance at the time of execution of contract:

- 1) Worker's compensation and employer's liability insurance as required by St. Clair County providing coverage for all claims.

- 2) Comprehensive automobile and vehicle liability insurance covering claims based on personal injuries, including death, and/or damages to property arising from use of motor vehicles, including onsite and offsite operations, and owned, non-owned, or hired vehicles, with not less than \$1,000,000.00 single limits and \$2,000,000.00 aggregate limits.
- 3) Commercial general liability insurance covering claims based on personal injuries, including death, or damage to property arising out of any act or omission of the Contractor/Vendor/Developer/Sub-recipient or of any of its employees, agents, or subcontractors, with not less than \$1,000,000.00 single limits and \$2,000,000.00 aggregate limits.
- 4) The St. Clair County shall be named as an additional insured and the Contractor/Vendor/Developer/Sub-recipient waives subrogation against the County as to said policies. The policies will provide that they will not be cancelled without 30 days prior notice to the County. The insurers will be authorized to do business in Illinois.

The Contractor/Vendor/Developer/Sub-recipient shall require the same insurances from its Sub-contractors. Title Insurance Developers of CDBG-DR funded projects that include acquisition and development shall provide the County with title abstracts as requested. In addition, the Developer shall provide and maintain title insurance on the property to the County in an amount equal to 100% of the grant amount.

SECTION 16: ENVIRONMENTAL REVIEW

CDBG-DR requires that an environmental review be completed for every activity before funds (even non-CDBG-DR funds associated with the activity) are committed or expended. Such environmental reviews must comply with the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed at 24 CFR Part 58. An environmental review must be conducted considering federal laws, authorities, and regulations.

In accordance with 24 CFR Part 58, recipients, owners, developers, sponsors or any other third-party partners cannot take any physical actions on a site, begin construction, commit, expend, or enter into any legally binding agreements that constitute choice limiting actions for any HUD or non-HUD funds before the environmental review process has been completed and the jurisdiction has received a Release of Funds approval. Refer to St. Clair County IGD environmental policies and procedures for further guidance.

SECTION 17: FEMA IDENTIFIED FLOOD ZONES & NATIONAL FLOOD INSURANCE

The County will be including a review of FEMA Flood Hazard Zone maps during the environmental review process. Each construction/rehabilitation/repair project will be individually evaluated for flood risk.

If a project is identified to be located within a FEMA Flood Zone, the County will ensure that any residential, commercial and/or infrastructure projects account for increased flood risk resulting from a variety of factors by elevating and/or otherwise flood proofing to one foot above the elevation recommended by the most recent available federal flood guidance.

The specific steps that these types of structures will need to take include:

- Elevating- the standard would require structures to elevate their bottom floor one foot higher than the most recent flood risk guidance provided by FEMA;
- Flood-Proofing - In situations where elevation is not possible, the standard will require structures to prepare for flooding a foot higher than the most recent flood risk guidance provided by FEMA - for example, by relocating or sealing boilers or other utilities located below the standard of elevation.

Funding will not be approved for acquisition or construction for use in any area that has been identified as having special flood hazards and is not participating in the National Flood Insurance program.

SECTION 18: LEAD-BASED PAINT AND LEAD HAZARDS

The County does not intend to utilize CDBG-DR funds for housing projects, however, should the plan be modified the lead paint procedures will be in effect. Projects that involve the acquisition or renovation of a property built prior to 1978 must be tested for lead based paint. Interim controls and safe work practices are required during construction. In addition, housing assisted with federal funds is subject to the:

- Prohibition of lead-based paint
- Testing all painted surfaces with a HUD approved XRF of any areas that will be disturbed in the renovation of houses built before 1978.
- Elimination of immediate lead-based paint hazards in residential structures
- Notification of the lead hazards of lead-based paint poisoning to purchasers and tenants of residential structures constructed prior to 1978

Paid renovators and multi-family housing maintenance workers who work in pre-1978 housing and child-occupied facilities will be required to meet the training and certification requirements of both HUD - Lead Safe Housing Rule (LSHR) and EPA - Renovation, Repair and Painting Rule (RRP). Paid renovators include renovation contractors, painters and other specialty trades.

Lead Based Paint and Homeowner Repair Program

The County will require that All eligible households requesting assistance through CDBG-DR undergo lead inspection and/or risk assessment for properties built prior to 1978, and where there are children residing in the home under the age of six (6). Inspections shall be conducted by a certified lead-based paint inspector, or a qualified Risk Assessor. The homeowner will be

required to have the unit(s) abated if it is determined that lead or lead-based paint hazard conditions are present in the home. The County will not proceed with requests for assistance without a "Letter of Compliance" issued by a state-licensed lead inspector. Visual assessment alone will not be sufficient in meeting inspection requirements. The cost of lead inspections will be included as part of the rehabilitation cost and an inspection will be required when the Rehabilitation Specialist suspects or presumes the presence of lead has been determined for the property.

The County will allow exception to policy regarding lead-inspection and de-leading requirements when:

- A. Circumstances prove to be of an urgent nature. Emergency repairs needed to remove threats considered to be an imminent danger to human life, health or safety, or to protect the property from further structural damage are examples of these types of situations; or
- B. If the rehabilitation will not disturb any painted surface, the exception also applies.

The County will implement and operate its CDBG-DR program under the auspices of federal, state, and local laws, ordinances and systems that address lead poisoning prevention and/or abatement. The County will, as far as practicable, address the elimination of lead-based paint hazards in residential properties that receive federal rehabilitation assistance. Applicants must receive all required and appropriate notices and pamphlets regarding lead hazard information, as well as notices concerning evaluation and lead hazard reduction activities. Acknowledgement forms, documenting all such notifications, shall be kept in each applicant's file.

Evaluation and hazard reduction requirements for homeowner rehabilitation will be determined among three categories based on the level of assistance and shall require paint testing on the painted surfaces to be disturbed or replaced during rehabilitation activities, or presume that all painted surfaces are coated with lead -based paint:

- Assistance of up to and including \$5,000 per unit;
- Assistance of more than \$5,000 per unit and up to \$25,000 per unit; and
- Assistance of more than \$25,000 per unit.

This level of assistance is determined by taking the **lower** of:

- Per unit rehabilitation hard costs (regardless of the source of funds); or
- Per unit Federal assistance (regardless of the use of funds)

Assistance of up to and including \$5,000 per unit

Projects where the level of rehabilitation assistance is less than or equal to \$5,000 per unit must meet the following requirements:

The goal is to "do no harm." Therefore, all work must be conducted using lead safe work practices. Workers must be trained in lead safe work practices.

Lead Hazard Inspection/ Evaluation. A lead inspection must be performed, by a lead-certified inspector, if determined there is lead presents, paint testing must be conducted to identify lead-based paint on painted surfaces that will be disturbed or replaced. Alternatively, the County may presume that these surfaces contain lead-based paint.

Lead Hazard Reduction. The County must repair all paint that will be disturbed during rehabilitation, unless such paint is found not to be lead-based paint.

If lead-based paint is detected or presumed, safe work practices must be used during rehabilitation.

Clearance is required by a certified clearance examiner.

Notices that must be provided to owners and tenants:

- The Lead Hazard Information pamphlet;
- The Notice of Evaluation (if paint testing is performed) or Notice of Presumption (if paint testing is not performed); and
- The Notice of Lead Hazard Reduction.

In short, for rehabilitation projects where the level of assistance is less than or equal to \$5,000 per unit, workers must be trained in safe work practices, notices must be provided to owners and tenants, and clearance must be achieved.

Assistance of more than \$5,000 per unit and up to \$25,000 per unit

Projects where the level of rehabilitation assistance is between \$5,000 and \$25,000 per unit must meet the following requirements:

The goal is to "identify and address lead hazards." A risk assessment is required to identify lead hazards and identified hazards must be addressed by interim controls.

Lead Hazard Evaluation. A risk assessment must be conducted by a qualified professional prior to rehabilitation to find lead-based paint hazards in assisted units, in common areas that service those units, and on exterior surfaces. The risk assessment must include paint testing of any surfaces to be disturbed by the rehabilitation.

Lead Hazard Reduction. If the risk assessment identifies lead-based paint hazards, interim controls must be implemented to address lead-based paint hazards.

Interim controls must be performed by qualified professionals using safe work practices.

Clearance, conducted by a qualified clearance examiner, is required when lead hazard reduction activities are complete.

Options. There are two options, as follows:

- a.) The County is permitted to presume that lead-based paint is present and that lead-based paint hazards exist. In such cases, evaluation is not required. The County must perform standard treatments in lieu of interim controls on all applicable painted surfaces and presumed lead-based paint hazards.
- b.) The County is also permitted to conduct a lead hazard screen instead of a risk assessment. The lead hazard screen has more stringent requirements and is only recommended in units in good condition. If the lead hazard screen indicates that there is no lead contamination, no lead hazard reduction is required. If the lead hazard screen indicates the presence of lead hazards, the County must then conduct a risk assessment. (Note: Passing a lead hazard screen, or a risk assessment, does not eliminate the requirement to perform interim controls on lead-based paint hazards created as a result of the rehabilitation work.)

Notices that must be provided to owners and tenants:

- The Lead Hazard Information pamphlet;
- The Notice of Evaluation (if paint testing is performed) or Notice of Presumption (if paint testing is not performed); and
- The Notice of Lead Hazard Reduction.

In short, compliance with the Lead Safe Housing Rule for such rehabilitation projects will affect the project planning, timeline, scope of work, contracting and budget.

Assistance of more than \$25,000 per unit

Projects where the level of rehabilitation assistance is over \$25,000 per unit must meet the following requirements:

The goal is to "identify and eliminate lead hazards." A risk assessment is required to identify hazards and any identified hazards must be abated by a certified abatement professional.

Lead Hazard Evaluation. A risk assessment must be conducted prior to rehabilitation to find lead-based paint hazards in assisted units, in common areas that service those units, and on exterior surfaces. The risk assessment must include paint testing of any surfaces to be disturbed by the rehabilitation.

Lead Hazard Reduction. To address hazards identified:

Abatement must be conducted to reduce all identified lead-based paint hazards except those described below. Abatement must be conducted by a certified abatement contractor.

If lead-based paint hazards are detected during the risk assessment on the exterior surfaces that are not to be disturbed by rehabilitation, interim controls may be completed instead of abatement to reduce these hazards.

Clearance is required when lead hazard reduction activities are complete.

Options. There are two options, as follows:

- a.) The County is permitted to presume that lead-based paint hazards exist. In such cases, a risk assessment is not required. The County must abate all applicable painted surfaces that will be disturbed during rehabilitation and all presumed lead hazards.
- b.) The County is permitted to conduct a lead hazard screen instead of a risk assessment. The lead hazard screen has more stringent requirements and is only recommended in units in good condition. If the lead hazard screen indicates that there is no lead contamination, no lead hazard reduction is required. If the lead hazard screen indicates the presence of lead hazards, the County must then conduct a risk assessment. (Note: Passing a lead hazard screen, or a risk assessment, does not eliminate the requirement to perform abatement on lead-based paint hazards created as a result of the rehabilitation work.)

Notices that must be provided to owners and tenants:

- The Lead Hazard Information pamphlet;
- The Notice of Evaluation (if paint testing is performed) or Notice of Presumption (if paint testing is not performed); and
- The Notice of Lead Hazard Reduction.

In short, compliance with the Lead Safe Housing Rule for such rehabilitation projects will affect the project planning, timeline, scope of work, contracting, and budget. It involves the engagement of a certified abatement contractor.

SECTION 19: Income Eligibility

Annual household income is the anticipated total income from all sources received by the Family head and spouse (even if temporarily absent) and by each additional member of the Family (other than children under the age of 18 years), including all net income derived from assets for the 12-month period following the effective date of certification of income. Annual Income specifically includes and excludes certain types of income as set forth in, and shall be determined in accordance with HUD guidebook determining income.

Documenting Income Eligibility and County Approval

The staff must document income eligibility using source documents. Source documents include but are not limited to items such as wage statements, interest statements, and unemployment compensation statements. Eligibility determinations are based on anticipated income; last year's tax return does not reflect next year's earning (nor does it constitute adequate source documentation). Calculations and copies of source documents must be forwarded to the County for approval of income eligibility of a purchaser prior to sale.

Term Affordability/Continued Affordability

The County does not intend to utilize CDBG-DR for housing activities, however, should the County modify the plan the term affordability procedures will be in effect. The County requires that assisted units remain affordable for at least a minimum period. The County's minimum affordability periods are based on what is required in the federal HOME.

Investment Partnership Program, 24 CFR 92.252(a), (c), (e) and (f), and 92.254, and are as follows:

- Up to \$15,000 - 5 Years
- \$15,001 to \$40,000 - 10 Years
- Over \$40,000-15 years
- New Construction - 20 years

Under HUD rules, the County has three options for ensuring continued affordability of assisted houses:

- **Resale** of the home to the grantee or to another income-eligible buyer;
- **Recapture** all or part of the initial subsidy, via full repayment of the loan, forgiveness of a portion of the principal, or equity-sharing. With recapture, the subsidy funds can be used for another home. Such recaptured funds become Program Income to the CDBG-DR Program;
- **Presumed affordability** of homes in affected neighborhoods. Using analysis of market conditions, the grantee may show that houses will continue to be affordable to LMMI purchasers with conventional mortgage financing.

Initially, the County will use RECAPTURE as the means of ensuring continued affordability.

Affordability: Recapture

If applicable, The County will enforce affordability restrictions on CDBG-DR properties through recapture. The County elects to use recapture, rather than resale, as the means of affordability restriction, because the recapture option is more suited to stabilizing a market where values are declining, and there are challenges to attracting purchasers to move into the neighborhood.

Some of the factors that the County considered in choosing to use recapture are the following:

- The homebuyer may sell the property to any willing buyer.
- The recapture option provides grantees and homebuyers with maximum flexibility.

- The homebuyer can resell the property on the open market to any willing buyer at whatever price the market will bear.
- Lenders are generally comfortable with the recapture option, since it does not restrict or affect the resale transaction until the lender's loan has been repaid.
- The grantee can tailor the level of the homebuyer's risk to market conditions.

With Recapture, the sale of the property during the affordability period triggers repayment of the direct HOME subsidy that the buyer received when he or she originally purchased the home, provided that this amount may not exceed the net proceeds from the sale of the property.

Direct subsidy

A direct subsidy consists of any financial assistance that reduces the purchase price from fair market value to an affordable price, or otherwise subsidizes the purchase (e. g., down payment or closing cost assistance, subordinate financing, price below market value).

Net proceeds

The net proceeds of a sale are the sales price minus closing costs and any superior loan repayments.

Principal Residence

Purchasers of CDBG-DR-developed homes must occupy the properties as their principal residence. These stipulations apply for a principal residence:

- A deed restriction or covenant running with the land should incorporate this requirement.
- The loan documents between the purchaser and the program administrator should also incorporate this requirement.

Disclosure Statement

Prospective purchasers must be given hard copies of preliminary disclosure documents that provide the following:

- An explanation of the CDBG-DR program in general terms and its benefits to buyers and the community.
- Applicant's household size and estimate of monthly income, with a statement that the income amount must be verified prior to the Applicant being approved for CDBG- DR assistance.

- A good faith estimate of the amount (or range of amounts) and terms of Homeowner Financial Assistance that Applicant may qualify for, based on an analysis of Applicant's financial and other data provided.
- A general description of a CDBG-DR buyer's obligations for repayment of subsidies, and recapture controls on homes.

During the intake interview or subsequent face-to-face meeting, a representative of the County will review these disclosures with the Applicant and be available to answer questions about them. No purchase will be approved unless disclosures have been made as required.

Deed Restrictions: Principal Residence

In properties that are produced with CDBG-DR funds for homeownership, the County shall require that purchasers maintain the home as their principal place of residence. In order to enforce these requirements, the County shall require that a deed restriction be placed upon all properties produced with CDBG-DR funds.

Proceeds from Sale of CDBG-DR-Developed Properties

Proceeds from the sale of the Project Property shall be returned to the County at the time of transfer of the property to the qualified purchaser. Proceeds from the sale of the property shall mean: (a) the sale price, plus (b) the sum of all CDBG-DR grants and forgivable loans to the property, minus:

- the development costs and developer's fee set forth in the individual project budget attached to the property-specific grant agreement

Depending on the project, there may be no proceeds.

Funds returned to the County after sale of a project property become Program Income to the County for use in another eligible Project.

SECTION 20: REMOVAL OF BLIGHT

The County does not intend to utilize CDBG-DR funds for the stated purpose below, however, should the plan be modified the procedures for demolition and/or removal of structures will take effect. The removal of blight is a CDBG-DR eligible activity under 24 CFR 570.201(d) and meets the national objective of low/moderate income housing. Record keeping guidance for CDBG activities are set forth in 24 CFR 570.506. Geographic Area Demolition and/or removal of demolition debris must take place within disaster impacted areas.

Eligible Properties

Properties that are vacant, blighted, deteriorated beyond repair and necessary to the long-term recovery of the disaster impact zone, may be targeted for demolition. Properties will be owned by the County.

General Program Administration

Respective responsibilities of the Contractor are as follows:

- Removal and abatement of all hazardous materials at each project site, in accordance with local, state and federal environmental requirements.
- Removal and disposal of all demolition, construction debris from each project site in accordance with local, state and federal requirements.
- Restoration of site, including the filling of foundations, installation of loam, seed and fencing as required by contract.
- Fulfilling all contract terms and submitting all required paper work to the County, including the following documents:
 - Payment and Performance Bonds
 - Proof of insurance
 - Certified payroll statements in accordance with State Division of Labor and Federal Davis Bacon wage rates
 - Permits
 - Proof of Utility Disconnects
 - Close-out packages
 - Hazardous waste manifests
 - Demolition dump slips
- Submitting Section 3 reporting requirements to the County.
- Obtaining all necessary permits, ensuring and obtaining documentation of utility terminations, coordinating hazardous material removal with the County's environmental consultant, meeting all labor standard and OSHA requirements.

Respective responsibilities of the Environmental Consultant are as follows:

- Fulfilling all contract terms including submitting testing results, reports, air monitoring results to the County.
- All pre-demolition hazardous testing and reporting and submitting copies to the County.
- All monitoring and oversight of contractor's removal of hazardous material and asbestos contaminated waste and advising the County if there are concerns regarding contractor performance regarding these areas.

Respective responsibilities of the County are as follows:

- Selecting projects and ensuring that projects meet CDBG national objectives and eligibility requirements and appropriately documenting files.
- Assuming all responsibility for the environmental review process in accordance with policies and procedures in Section 23 and compliance with environmental requirements in accordance with Policies and Procedures in Sections 23 and 24.

- Ensuring no Duplication of Benefits occurs in accordance with Duplication of Benefits.
- Ensuring Contractor(s) and Environmental Consultant(s) are not on the Federal Debarment list in accordance with Policies and Procedures in Section 14.
- Reviewing certified payroll statements to ensure compliance with both State and Federal prevailing wage rates in accordance with Policies and Procedures in Section 21.
- Maintaining all file records for projects and ensuring all appropriate documentation is in the file.
- Appropriately bidding the jobs in accordance with applicable local, state and federal requirements.
- Drafting, approval, execution and monitoring of contracts.
- Monitoring both contractor and environmental consultant and ensuring compliance with contract requirements.
- Reviewing all payment requests and ensuring that all costs are necessary, reasonable and in accordance with the contract.
- Filing liens against privately owned properties for work completed at the sites.

Change Orders

The Contractor must submit all change orders to the County for review and approval before work proceeds. These change orders will be amended into the contract upon the County's approval.

Invoices

Invoices must contain specific items accomplished. Back-up documentation must be included with invoices, which verify all costs and ensure that work was completed as required.

Contractor and Environmental Consultant will submit project invoices and the County will review all invoices to ensure all costs are necessary, reasonable and comply with contract. Invoices will be paid within thirty (30) days of completion of review.

Liens

Liens will not be filed against County owned properties.

Procurement/Contractor Selection Process

St. Clair County follows St. Clair County financial procedures requirements regarding procurement.

SECTION 21: HOME REPAIR

The County does not intend to utilize CDBG-DR for funds for Home repair, however, if the plan should be modified this policy will take effect. This policy has been developed as a reference

guide for the administration and processing of applicants for the CDBG-DR Homeowner Rehabilitation Grant Program (CDBG-DR). It has been designed to ensure, as much as practicable, a fair and consistent approach in soliciting, selecting, evaluating and determining the eligibility of participating households. The policy further establishes a formal operating format that is intended to be consistent with Community Development Block Grant - Disaster Recovery (CDBG-DR) rules and regulations that govern this program as an eligible activity.

The County, through the St. Clair County Intergovernmental Grants Department, has created the CDBG-DR procedures using standards set by the Department of Housing and Urban Development. The CDBG-DR program would offer 0% forgivable/deferred loans to assist eligible low and moderate- income households within St. Clair County. It is designed to help those St. Clair County homeowners directly impacted by the 2022 flooding make needed repairs to their homes.

To be considered for the CDBG-DR assistance, households must first meet preliminary requirements as outlined:

- The property must be located within the disaster-impacted neighborhoods.
- The home must have been the owner's principal residence on the date of the disaster.
- Total household income cannot be more than 50% of Area Median Income, adjusted for the number of persons residing in the home.
- All property taxes, fees, fines or municipal liens must be current with St. Clair County.
- The property must meet all state and local codes, ordinances and zoning requirements upon completion of project.
- Most importantly, there must be disaster related damage to the property and any unmet need without any duplication of benefits.
- Applicants will be required to submit and certify evidence of any and all assistance received (or lack thereof) at time of applicant including, but no limited to, any FEMA assistance, SBA loans, insurance proceeds etc.

Eligible Repairs

The County's Rehabilitation Inspector shall inspect the housing unit to develop a priority list of health and safety hazards and required repairs. All health and safety issues must be cured with the rehabilitation loan and/or other funds available to the homeowner as a condition of this grant program. Any replacement items shall be of similar size, quality, and shape unless noted otherwise. Medium grade and/or construction grade materials shall be utilized only. If the owner chooses an item which increases the cost due to, but not limited to materials, quality, energy conservation, etc., the difference between the specified cost and the owner's request shall be the responsibility of the owner.

The CDBG-DR will provide funds to perform rehabilitation activities and provide materials to achieve minimum compliance with all federal, state and local laws. The maximum grant or loan

amount to be awarded to an eligible homeowner will be capped at \$24,000. All substitutions or changes in materials must be submitted in writing and receive approval from the County.

Ineligible Repairs

The general physical guidelines for the rehabilitation of existing residential properties through regular CDBG funding provides minimum design and construction criteria. Therefore, the County has determined the following as ineligible for repair:

- Additional bathrooms/bedrooms
- Landscaping
- All items of a luxury nature

Eligible Costs

In administering the CDBG-DR program, the County acknowledges that there are expenses necessary in helping qualified homeowners meet established housing rehabilitation standards and will endeavor to ensure that all costs are customary and reasonable in providing this service. Reasonableness of eligible rehabilitation costs will be determined by the Rehabilitation Specialist and approved by the County's Project Coordinator.

Allowable Contractors

The County will not directly or indirectly employ, award contracts, or engage the services of any contractor or sub-recipient during any period of debarment, suspension or placement on ineligibility status. Program staff will review federal and state lists of debarred, suspended and ineligible contractors before any CDBG-DR funds are committed.

Contractors chosen, directly or indirectly, must meet all state licensure requirements and have all necessary insurance coverage for the types of work to be performed on behalf of the homeowner. The information provided by such contractors will be kept on file.

The minimum requirements for contractors are as follows:

- A. Illinois Contractor's license or trade license; or
- B. Registration as an Illinois Home Improvement Contractor;

Additionally, all contractors must have proof of:

- A. Workman's compensation insurance at statutorily required limits; and
- B. Property, Auto and liability insurance; and
- C. Demonstrated experience in the appropriate trade(s).

The certificate of insurance shall include property damage and liability insurance with appropriate limits and amounts that indemnify St. Clair County, the property owner, and any sub-contractor against claims for injury and damage which may occur or result from work performed pursuant to a contract agreement.

Marketing & Outreach

The County is committed to ensuring that its programs and services are available and accessible to all income eligible households. The County will operate this program within the context of fairness in order to promote awareness of available programs and services. The County affirmatively strives to encourage and further fair housing initiatives, whether acting on its own, or with and/or through, other public and private-sector organizations.

The CDBG-DR will be marketed through a variety of print and broadcast media outlets. Program availability and information will be conveyed through direct mailings, informational meetings, press releases, newspaper ads, public notices to local agencies serving low and moderate-income households, religious establishments and on the County's official website.

Selection Process

The County will receive, review and process applications on a first-come, first-served basis. However, to ensure program funds address housing rehabilitation with more critical needs, applications involving emergencies, the elderly, and those seeking to address accommodations for those with disabilities will take priority over applications received that are not of an urgent nature. County staff reserves the right to assign priority status to any emergency application as necessary.

Eligible Applicants

The program is available to owner-occupants of the St. Clair County only and is reserved for homeowners who maintained the property as their primary place of residence on the date of the disaster. Proof of homeownership is required and shall be evidence by a copy of a deed indicating the name(s) of the applicant(s), length of ownership, and the property having a physical location within the designated areas.

Dwellings that are investor-owned and unoccupied by the owner will not be eligible to participate in this program.

Ownership and Residency

Ownership status in the property is supported by documentation of physical evidence that the owner(s) of record reside in the property under consideration for assistance.

Documentation that meets these criteria will consist of the following:

- A. Copy of Deed;
- B. Leasehold Agreement;
- C. Trust Agreement;
- D. Copy of most recent mortgage billing statement; and
- E. Copy of most recent utility billing statements to including service for cable or phone.

Further, sufficient source documentation showing that the home was the owner's principal place of residence on the date of disaster will be required.

Income

HUD establishes income guidelines for CDBG-DR program participation. HUD calculates these income levels annually and sets forth the maximum limit at 50% of Area Median Income (AMI), adjusted for family household size. Consequently, these amounts may change without notice during the program year. St. Clair County staff should refer to the HUD web site at: www.hud.gov for updates.

THE COUNTY WILL USE THE "ADJUSTED GROSS INCOME" DEFINITION OF ANNUAL INCOME IN DETERMINING THE ELIGIBILITY OF PROGRAM PARTICIPANTS.

- The County limits participation in this program for existing homeowners earning no more than 50% of Area Median Income, as defined by the Department of Housing and Urban Development (HUD).
- Household income may not exceed the income limits in effect at the time of application.
- Income is defined as the income earned from all household members age 18 years and above.
- Adult members, 18 to 23 years of age, who are attending school away from home on a full-time basis, require that the first \$480.00 in earned income be included in the calculation of household income.
- Income includes earnings from employment, unemployment, government benefits, investments, other cash-generating activities, etc.
- Refer to The Technical Guide for Determining Income and Allowances for a complete list of acceptable types of income and whose income to count.
- Income from employment for full-time employees will be calculated from the applicant's most recent current consecutive two months' pay, and projected forward at the same level of earnings for the next 12 consecutive months;
- For part-time hourly employees, Disaster Recovery staff will calculate the year-to-date income from the most recent pay stub and divide the earnings by the number of weeks covered through the year, in order to find the average amount of weekly earnings. The weekly earnings will then be multiplied by 52 and divided by 12 to calculate monthly gross income. If the year-to-date income covers less than three months in the current year, staff may include the average year-to-date earnings from the prior calendar year in addition to the current year;
- Income from overtime, commissions, ongoing stipends, shift differential pay, and other sources will be averaged (using year-to-date earnings) and included in the applicant's gross monthly income. Exceptions may be considered for applicant's receiving one-time, non-recurring bonuses or relocation benefits; Interest income from investments such as savings, money market, certificates of deposit, dividend

- income from mutual fund accounts and other income- generating assets will be included in the applicant's household income;
- Current monthly income payments from retirement accounts (including social security and pensions), alimony, and other steady, ongoing sources will be included in the applicant's gross monthly household income calculation; and
- All forms of income from non-applicant spouses and other adult household members will be included in the gross monthly income calculation, regardless of the taxability of such income;
- Income from seasonal and part-time jobs such as coaching, lecturing, test proctoring, etc., will be included in the definition of household income, when the work can reasonably be expected to continue;
- Current two years of tax returns.

Self Employed Borrowers

For self-employed borrowers, the following documents may be required:

- A year-to-date profit and loss statement prepared and signed by a Certified Public Fiscal Manager, with information covered through the last quarter;
- A year-to-date-balance sheet, prepared to reflect the financial position of the business at a specific point in time; and/or
- A signed letter of explanation regarding the applicant's anticipated gross annual income from earnings covering the next 12 months.

Verification of income must be completed before assistance is provided.

Income will need to be re-certified if more than six (6) months has elapsed beyond the initial time funding was approved.

Property Standards

All dwelling units that require rehabilitation must meet all applicable state and local building codes, zoning ordinance requirements and federal HQS. The County will require home rehabilitation to meet or exceed current Illinois State Building Code, and the State Sanitary Code that stipulates the minimum standards for human habitation.

The County encourages the incorporation of "Green" building improvements when economically feasible to provide long-term affordability, increased sustainability through lower fuel costs, and attractiveness of housing and neighborhoods. Rehabilitated residential units are also encouraged to meet "Energy Star" certification, which provides added benefits to homeowners through improved standards for energy efficiency that ultimately lead to greater long-term affordability. Properties found to be in gross states of disrepair will not be considered economically viable for funding under the CDBG-DR HRGP. Program applicants seeking financial assistance for rehabilitation work beyond the economic means and scope of work of the program must consider private financing sources for loan arrangements that may be able to

address that level of need. The amount of assistance is limited to a one-time occurrence per property and is subject to availability.

Structure of CDBG-DR Homeowner Repair Assistance

The County will administer the CDBG-DR as 0% deferred payment forgivable loan over the established affordability period.

SECTION 22: INFRASTRUCTURE

St. Clair County's CDBG-DR Action Plan allocate funds Infrastructure Projects. HUD has approved these Action Plan and entered into a grant agreement with the County. Infrastructure Projects are a CDBG-DR eligible activity under 24 CFR 570 part 200 and meets the national objective of low/moderate income area benefit.

General Program Information

The County will simultaneously implement several separate Infrastructure Projects within the flood disaster impact zone.

These are a combination of projects that are a direct result of the disaster and that are part of the long-term recovery of the neighborhood that will leave the community sustainably positioned to meet the needs of the post-disaster population and will assist in furthering prospects for growth.

The County will have a full-time CDBG-DR staff who will operate out of the Intergovernmental Grants Department and report on DR projects to the Project Coordinator and the Executive Director.

The CDBG-DR staff and Project Coordinator will be responsible for coordinating the planning, development, design, construction, monitoring, reporting and completion of all infrastructure CDBG-DR projects.

Construction of public infrastructure will consist of projects as defined in the CDBG-DR action plan.

Applications will be received from communities requesting assistance and required to document necessary to document the need.

The 2022 flood disaster caused millions of dollars of damage in St. Clair County and will continue to do so until infrastructure is addressed.

Public infrastructure projects will require a licensed architect/engineer (depending on project), which will be procured by Request for Proposals (RFP) to design the facilities in accordance with HUD/FEMA/local standards, as well assist in bidding the project and construction management.

**St. Clair County, Illinois Request for
Proposals for Engineer Services
ENGINEER EVALUATION CRITERIA**

The Selection Committee will screen and rank all proposals. Interviews may be conducted as part of the ranking process. Proposals received in reply to this request will be evaluated using the following criteria and scored based on a maximum of 120 points. Price will not be a part of the Selection Committee's selection criteria in the procurement of engineer services; rather, qualifications will be evaluated, and the most qualified competitor will be selected, subject to negotiations of fair and reasonable compensation.

Qualifications	Total Points
1. Cover letter addressing understanding of CDBG-DR & ADA	20
2. Executive Summary	20
3. Statement of Qualifications	20
4. Previous Experience with Sidewalk Projects	20
5. Previous Experience with CDBG-DR/ADA	20
6. Certifications	20
7. Total	120

FIRM:	Total Points
1. Cover letter addressing understanding of CDBG-DR & ADA	
2. Executive Summary	
3. Statement of Qualifications	
4. Previous Experience with Sidewalk Projects	
5. Previous Experience with CDBG-DR/ADA	
6. Certifications	
7. Total	

Printed Name of Scorer: _____

Signature: _____ Date: _____

TERMS

- A. **Legal Compliance:** Work performed, and plans produced shall comply with all state, environmental, statutory, legal process, OSHA, Davis Bacon and the Fair Labor Standards Act.
- B. **Acceptance of Proposal:** The County reserves the right to reject any and all proposals and to waive informalities, if, at its discretion, the interests of the county will be best served thereby.
 - a) The County reserves the right to negotiate the specified dollar amount, or any portion of that amount. The County reserves the right to negotiate contract changes following the award.
 - b) If there is any conflict between these documents and the proposal, these documents shall control.
 - c) The County reserves the right to cancel this RFP in writing or postpone the date and time for submitting proposals at any time prior to the proposal due date. The County reserves the right to stop the project if it is in the best interest of the County.
 - d) No proposer shall have a right to make a claim against the County in the event the County accepts a proposal or does not accept any proposals.
- C. **Validity of Proposals:** Proposals must be valid for at least 60 days.
- D. **Insurance:** The Contract shall be effective only upon approval by the County of acceptable evidence of insurance required below, issued by insurers admitted within the State of Illinois. Such insurance shall be in force on the date of execution of this contract and shall remain continuously in force for the duration of the contract. The Engineer shall provide evidence of workers' compensation insurance covering its employees, and evidence of general liability insurance naming the County, its officers and employees as additional insureds under the policy, as follows:
 - a) Workers' Compensation insurance that meets the statutory obligations.
 - b) Commercial General Liability insurance with limits of at least \$1,000,000 general aggregate, \$1,000,000 products - completed operations, \$1,000,000 personal and advertising injury, \$1,000,000 each occurrence, \$50,000 fire damage and \$5,000 medical expense any one person. The policy shall be on an occurrence basis, shall include contractual liability coverage and the County shall be named an additional insured. This coverage shall be maintained for one year after final completion and acceptance of the Project by the City.

- E. **Addenda to RFP:** Any changes, additions or clarifications to the RFP will be made by written Proposal addenda.
- a) Such addenda will be sent to all proposers receiving the original RFP and will become part of the Proposal package, having the same binding effect as provisions of the original proposal.
 - b) All addenda, amendments and interpretations of this solicitation shall be in writing. The County shall not be legally bound by any amendment or interpretation that is not in writing. Only information supplied by the County in writing or in this RFP should be used in preparing Proposal responses. All contact that a proposer may have had before or after receipt of this RFP with any individuals, employees, or representatives of the County, and any information that may have been read in any news media or seen or heard in any communication facility regarding this proposal should be disregarded in preparing proposal responses.
 - c) The County does not assume responsibility for receipt of any addendum sent to proposers.
 - d) A copy of all addenda issued must be signed and returned with your proposal.
- F. **Contract and Conditions:** The selected firm or individual will be required to enter into a contract with the County. Additional contract conditions may be required, depending upon the nature and extent of the services to be provided. The County reserves the right to negotiate a change or modification to any of the proposed contractual conditions.