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Community Development Block Grant Program
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**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROJECT ADMINISTRATION AND MONITORING MANUAL**
(Revised January 2011)

Name of Grantee:

Name of Sub-Grantee (if applicable):

Name of Project:

Location of Project:

Grant Amount:

GY:

Type of Project:

Date Monitored:

Monitored By:

Project Contact Person:

The Wyoming Business Council (WBC), as program administrator, is responsible for grantee review and assuring compliance with the CDBG program. The purpose of monitoring is to assess grantees' compliance with all applicable Federal, State and local laws, to ensure that a project is being completed in a timely fashion, that the project is achieving stated goals and objectives, and that grantees are maintaining orderly records to substantiate their compliance.

It is the goal of WBC staff to foster open communication and mutual cooperation with our grantees. Any questions or comments monitoring procedures or requirements should be directed to the WBC at the contact information on the cover page.

The purpose of this Project Administration Guidebook is to guide you through the process. It offers checklists of items that need to occur and be on file. During monitoring, the WBC will verify the completeness of the files.

What grantees should be aware of - The WBC is available to help clarify information or requirements at any stage of the process.

- **Financial Systems**
 - There must be financial management procedures and requirements.
 - Financial systems must be established, effective and maintained.
 - Financial records and files must be complete and retained for a period of time.
 - A-133 audits are required for any grantee that received over \$500,000 in federal funds in a fiscal year. Audits or a statement of exemption are required for every fiscal year in which grant funds were drawn.
- **Labor Standards**
 - There are several labor standards, regulations and requirements. Information is posted on the CDBG section of the WBC website.
 - There must be procedures for monitoring and ensuring compliance with labor standards.
 - There must be resources sufficient to develop contract solicitations and contracts.
 - There must be file documentation for all labor standard activities.
- **Environmental Requirements**
 - There are many environmental regulations and requirements. Information is posted on the CDBG section of the WBC website.
 - There must be local procedures for meeting environmental responsibilities.
 - There must be resources available to develop notices, assessments, reviews, records, statements and other tools and instruments.
 - There must be environmental review records to document all environmental activities.
- **Civil Rights**

- There are many civil rights laws, regulations and requirements. The project must be carried out in compliance with these regulations. Information is posted on the CDBG section of the WBC website. Requirements include:
 - Section 504
 - Specific provisions for employment and contracting
 - Specific provisions for displacement and relocation
 - Specific provisions for housing

Types of monitoring - There are two levels of monitoring conducted by the WBC:

- **Desk monitoring** includes review of quarterly reports and draw requests, providing Davis-Bacon wage determinations, review of bid documents, checking vendors against the Excluded Parties List System and so on. Desk monitoring also involves reviewing plans and other reports for consistency with the purpose of the grant before the final payment is made. Desk monitoring involves those items that can be done through electronic media, fax or mail. Regular and on-going phone or e-mail conversations are also important for staff to understand the progress of a project and to provide advice and guidance to grantees.
- **Mid project monitoring** involves WBC staff visiting the actual project site during the construction period. The site visit will allow staff to review records kept by the grantee, verify the progress of a project, and ensure that records being maintained by the grantee are in keeping with the CDBG program.
- **Close out monitoring** involves the WBC staff visiting the actual project site and meeting with representatives of the grantee and subgrantee to perform a review of the grantees' records, verify the project is on track to meet the desired/projected results, and provide any technical assistance.

When monitoring will occur

- **Desk monitoring** will occur throughout the duration of the project. With regard to planning and technical assistance grants, the final 25% of the grant will be disbursed only after a final draft plan or product has been reviewed by the WBC, or when WBC staff makes the determination through other communications or reports that sufficient progress has been made and a final product is imminent and will meet the intended goals. If the WBC determines that the draft project does not adequately address the purpose of the original request, then that will be communicated to the grantee within 2 weeks of the receipt of the draft. Once the final product is reviewed and is deemed to meet the original intent of the grant, the project will be closed conditionally if there are pending items such as A-133 audits. The project will be closed unconditionally if there are no pending items. The close-out letter will state the length of time records must be kept and a date when the project is considered officially closed unconditionally.
- **Mid project monitoring** visits may occur before or during the construction period if the WBC determines that a particular project is excessively complex, is experiencing unusual delays, or is having administrative difficulties. The WBC will schedule the site visits at least two weeks in advance. The grantee may also request a mid project monitoring to discuss any aspects of the project or program requirements.

- **Close out monitoring** All infrastructure related projects will go through a close out monitoring within 3 months of the final grant payment. Upon the final payment, WBC staff will send a letter providing suggested dates for the monitoring and an overview of what to expect. If the scheduling cannot occur within that 3 month time frame, then it will be scheduled at the earliest convenient time. When on-site monitoring is necessary, a date that is mutually acceptable will be determined, the grantee will be notified if any portions of this monitoring book are not applicable; however, in most cases the grantee are responsible for compliance for everything included herein. On the mutually agreed upon date, WBC staff will visit the site and review project files. An exit interview will be conducted informing the grantee of any findings or deficiencies.

What to expect during a monitoring

- WBC staff will visit the project site, take pictures, and ensure that the project is completed to a reasonable percentage (mid-project) or that what was paid for is what was built or installed (close-out).
- The WBC will review files and use the accompanying checklist to verify that requirements have been met and that recordkeeping is complete.
- An exit interview will be conducted
- Within one month of an on-site monitoring, the WBC will issue a letter regarding the project's status
 - For a mid-project monitoring, the WBC will provide technical assistance and guidance to aid the grantee in the successful completion of the project. If there are any corrective actions that should be taken, they will be provided along with a timeline for making the corrections and information on what documentation will be required to verify that the correction has been made.
 - **Conditional close out** for a completed project will be issued when:
 - A grantee must still provide information (such as a A-133 audit or if the project still requires sufficient time to realize the benefits projected such as job creation)
 - A grantee must act on correcting a finding (taking some type of action or providing documentation of a corrective action)

A conditional close out letter will provide the grantee with a checklist of those items required and the time frame by which the additional items must be completed in order to close the project unconditionally.
 - **Unconditional close out** will occur when all terms of the grant have been met, all required documentation is completed and all monitoring findings (if any) have been mitigated. The letter will state the length of time records must be kept and a date when the project is considered officially closed unconditionally.

Overview: This section summarizes the initial stages of the project, suggested planning, technical assistance, and monitoring activities

SUGGESTED PLANNING AND TECHNICAL ASSISTANCE:

Planning and technical assistance activities should be directed at assuring that recipients:

- Are tracking the timely progress of an application through approval and an executed grant agreement
- Have developed an acceptable project implementation and that it is being monitored
- Have established the national objective the project will meet
- Have established all the necessary agreements that define the roles and responsibilities of any sub-recipients.

Suggested Monitoring:

State administrators of Community Development Block Grants are required to monitor their recipients' project management. Following is a list of suggested monitoring activities:

Step 1: Check the Recipient's Files for application and sub-agreements.

Step 2: Check the timeline suggested in the application against the actual progress of the project

SEE
YES NO N/A NOTES

1 Does the Grantee possess files that contain a copy of the original CDBG application and all relevant supplemental materials? (surveys, map of project area, etc.) ___ ___ ___ ___

2. Was a grant agreement executed with the WBC within a reasonable time (six months) after the date of the announcement of the grant award? ___ ___ ___ ___

Date of award _____

Effective date of grant agreement _____

3. Did the Grantee submit an acceptable project management plan and implementation schedule? ___ ___ ___ ___

Was this adhered to? If not, what were the reasons?

4. Has the Grantee initiated contracts/collateral agreements/security agreements with their sub-grantee? ___ ___ ___ ___

Copies in file?

5. Which of the three national objectives does this project satisfy?

a. Benefit to low and moderate income households ___ ___ ___

b. Aid in the prevention or elimination of slums or blight ___ ___ ___

c. Meet other community development needs having a particular emergency because existing conditions pose an immediate and serious threat to the

SEE
 YES NO N/A NOTES

health and/or welfare of the community
 where other resources are not
 available to meet such needs.

___ ___ ___

6. Low and Moderate Income Benefit

a. What was the benefit to low and
 moderate income (LMI) persons
 claimed in the application?

_____ %

b. What methodology was used to determine
 LMI benefit in the application?

i. Latest census data

___ ___ ___ ___

ii. Local survey

___ ___ ___ ___

iii. Educational requirements/income
 limits for potential jobs

___ ___ ___ ___

iv. Income data received on individuals
 prior to receiving services

___ ___ ___ ___

c. Is the Grantee's data verifiable?
 (Explain in notes the method of
 verification)

___ ___ ___ ___

d. Does the survey data match up with the
 project area?

___ ___ ___ ___

7. Slums and Blight

a. Does evidence exist in the file that
 supports the State definition of
 slums and blight?

___ ___ ___ ___

i. Is there a map that defines the
 boundaries of the area?

___ ___ ___ ___

ii. Is there a building inventory
 consisting of all the structures
 in the area with a list of
 characteristics that qualify at
 least 25% of the total of slums and

	YES	NO	N/A	SEE NOTES
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blight?

_____	_____	_____	_____
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b. If the rehabilitation activity is for a structure not in a slum or blighted area, were the activities directed only to the elimination of the threats to public health and safety?

_____	_____	_____	_____
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8. Emergency Community Development Needs

a. Is there documentation concerning the nature and degree of seriousness of the condition requiring assistance?

_____	_____	_____	_____
-------	-------	-------	-------

b. Is there evidence that the recipient has certified the CDBG activity will address the emergency need?

_____	_____	_____	_____
-------	-------	-------	-------

c. Is there sufficient information to determine that the urgent need developed in the last eighteen months?

_____	_____	_____	_____
-------	-------	-------	-------

d. Is there evidence that confirms other financial resources were unavailable to alleviate the condition?

_____	_____	_____	_____
-------	-------	-------	-------

9. Eligible Activities

a. Are project activities being carried out in the same manner as proposed in the original CDBG application? If not, explain how they are different whether this effects their eligibility.

_____	_____	_____	_____
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b. Are the project activities being carried out in the same geographic area as proposed in the original CDBG application or as subsequently approved by WBC?

_____	_____	_____	_____
-------	-------	-------	-------

c. Were all changes in budget expenditures and project activities approved by WBC in advance?

_____	_____	_____	_____
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Project Review of Recipients

Comments on Concerns in Recipient's Project Management System

Suggested Corrective Actions and Timetable

Follow-up Contacts

See
Yes No N/A Notes

Overview: This section summarizes suggested planning, technical assistance, and monitoring activities

SUGGESTED PLANNING AND TECHNICAL ASSISTANCE:

Planning and technical assistance activities should be directed at assuring that recipients:

- Are aware of financial management procedures and requirements.
- Have developed acceptable financial management systems.
- Have the resources they need to establish and maintain effective financial management systems.
- Have established financial records and files to retain all required documentation.

Suggested Monitoring:

State administrators of Community Development Block Grants are required to monitor their recipients' financial management systems. Following is a list of suggested monitoring activities:

Step 1: Check the Recipient's Financial Management System

Step 2: Check Drawdowns of CDBG Funds

Step 3: Procurement Procedures

Step 4: Check Construction Management Procedures

Step 7: Check Construction Services

				See
<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Notes</u>	

Step 1: Accounting Systems

- | | | | | |
|---|-------|-------|-------|-------|
| 1. Were generally accepted municipal fiscal procedures followed? | _____ | _____ | _____ | _____ |
| a. Which individuals validate/authorize claims for payment (as Dept. Head)? | _____ | | | |
| b. Does someone compare expenditures against budgeted line items in order to control overspending on the authorized budget? | _____ | | | |
| c. Which individuals prepare warrants (write checks)? | _____ | | | |
| d. Does there appear to be sufficient separation of duties to ensure adequate internal control? | _____ | _____ | _____ | _____ |
| e. Were CDBG transactions supported by original source documents? | _____ | _____ | _____ | _____ |

Step 2: Drawdowns of CDBG Funds

- | | | | | |
|---|-------|-------|-------|-------|
| a. Is there a file containing copies of drawdown requests receipts and quarterly reports? | _____ | _____ | _____ | _____ |
|---|-------|-------|-------|-------|

See
Yes No N/A Notes

Step 3: Procurement Procedures

(Note: Please be sure to reference the Conflict of Interest information in your grant agreement as it applies to contracting).

a. Procurement Procedure Used

i. Small Purchase

Was the small purchase procedure appropriate for the good or service being procured? _____

Was the cost \$100,000 or less: _____

Were price quotes obtained from more than one qualified source? _____

ii. Competitive Seal Bid

Were competitive bids obtained through formal advertising for all publicly contracted construction in compliance with 24 CFR, Part 85? _____

iii. Competitive Negotiation

Was competitive negotiation appropriate for the good or service being procured? _____

Were proposals requested from at least two qualified sources? _____

Did the RFP clearly and accurately identify all the major factors that were used to evaluate the responses and their relative weight in the selection? _____

Did the grantee adequately publicize the RFP and honor reasonable requests to submit responses to the RFP? _____

Were all responses evaluated according to the written criteria established in advance? _____

Were negotiations conducted with more than one of the responding firms or people before the selection was made? _____

	Yes	No	N/A	See Notes
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Did the Grantee request the review of the selected firm or person against the HUD debarred contractors list before entering into an agreement?

___ ___ ___ ___

iv. Noncompetitive Negotiation (Sole Source)
Which of the following situation apply?

After solicitation from a number of sources competition was determined to be adequate.

___ ___ ___ ___

The items or services required were available only from one.

___ ___ ___ ___

Step 4: Construction Management Procedures

Professional Services

a. Were methods used to select services in compliance with Part 85?
Who was selected? _____

___ ___ ___ ___

b. Are there copies of letters of solicitation and of public hearings in the file?

___ ___ ___ ___

c. Are there copies of the contracts between the city/town/county and those providing the professional services?

___ ___ ___ ___

Step 5: Construction Services

a. Were methods used to select services in compliance with Part 85?
Who was selected? _____

___ ___ ___ ___

b. Are there copies of letters of solicitation and of public hearings in the file?

___ ___ ___ ___

c. Is there documentation to show whether or not grantee checked the Debarred List to determine contractor's or sub-contractor's eligibility?

___ ___ ___ ___

See
Yes No N/A Notes

Date or what type of documentation?

- | | | | | | |
|----|--|-------|-----|-----|-----|
| d. | Are there copies of the contracts between the city/town/county and construction contractors? | ___ | ___ | ___ | ___ |
| e. | Which of the following types of bonds were used by the contractor? | | | | |
| | Bid Bond | _____ | | | |
| | Performance Bond | _____ | | | |
| | Payment Bond | _____ | | | |
| | Applicable Letter of Credit | _____ | | | |
| f. | Is there documentation of bid awards (bid tabulation sheet)? | ___ | ___ | ___ | ___ |
| g. | Is there adequate documentation of the following: | ___ | ___ | ___ | ___ |
| | copies of notice to proceed | ___ | ___ | ___ | ___ |
| | copies of permits and licenses | ___ | ___ | ___ | ___ |
| | drawdown requests from the contractor | ___ | ___ | ___ | ___ |
| | copies of change orders | ___ | ___ | ___ | ___ |
| | copies of construction inspections | ___ | ___ | ___ | ___ |
| | copies of lien waivers | ___ | ___ | ___ | ___ |
| | final inspection and/or project acceptance agreement | ___ | ___ | ___ | ___ |

FINANCIAL MANAGEMENT REVIEW OF RECIPIENTS

Comments on Concerns in Recipient's Financial Management System

Suggested Corrective Actions and Timetable

Follow-up Contacts

Overview: This section summarizes suggested planning, and technical assistance and monitoring activities.

Suggested Planning and Technical Assistance:

Planning and technical assistance activities should be directed at assuring that recipients:

- Are aware of the audit objectives, requirements and standards.
- Have financial and program records that may be audited under accepted municipal fiscal procedures.

If recipients are arranging for audits then the following additional planning and technical assistance should be directed at assuring that recipients:

- Can select auditors who are qualified and independent.
 - Can communicate audit objectives, requirements and standards to the auditor.
-

Suggested Monitoring:

State administrators of Community Development Block Grants should thoroughly review all recipient audit reports.

- Recipient compliance with all applicable laws and regulations.
 - The effectiveness of recipient's financial management system.
 - The need for increased monitoring and/or technical assistance.
 - The need for follow-up actions.
-
-

What audits are required on this project (FY during which drawdowns occurred)?

If the grantee did not receive \$500,000 during any one fiscal year in which the project received funds, have they completed a statement of exemption?

Are there any findings or other concerns with the audits?

Audit Standards Review of Recipients

Comments on Concerns in Recipient's Audit Standards System

Suggested Corrective Actions and Timetable

Follow-Up Contacts

Overview: This section summarizes suggested planning, and technical assistance and monitoring activities.

Suggested Planning and Technical Assistance: Planning and technical assistance activities should be directed at assuring that recipients:

- * Are aware of the labor standards regulations and requirements.
 - * Have developed procedures for monitoring and ensuring compliance with labor standards.
 - * Have the resources they need to develop contract solicitations and contracts.
 - * Have established files to document all labor standards activities.
-

Suggested Monitoring: State administrators of Community Development Block Grants must monitor their recipients' compliance with labor standards. Following is a list of suggested monitoring activities:

Step 1: Check for Wage Rate Determinations and contractual provisions.

Step 2: Check for recipient monitoring/enforcement of compliance.

Step 3: Review the actions taken by recipients to investigate and follow-up on violations.

Checklist:

A suggested technical assistance checklist for reviewing recipient compliance with labor standards is included on the following page.

Labor Standards Review

Note: This checklist is completed for recipients with construction contracts subject to labor standards.

STEP 1: Wage Rate Determinations and Contractual Provisions

a. Were wage rate determinations requested? _____

What was the wage decision? _____

b. Were wage rates included in the solicitation specifications? _____

c. Were wage rates checked and updated prior to contract award? _____

Lock in date? _____

d. Were all required labor standards provisions included in solicitations and contracts? _____

STEP 2: Recipient Monitoring/Enforcement of Compliance

a. Is there a file and documentation of contractors pre-qualifying conference and pre-construction conference? _____

What documentation? _____

b. Were weekly payrolls received from all contractors and subcontractors? _____

c. Were weekly payrolls properly signed? _____

Who signed? _____

What payrolls were checked? _____

Were they accurate? _____ YES _____ NO If not, what were the issues?

	Yes	No	N/A	See Notes
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Did compliance investigations include:

- | | | | | |
|---|-----|-----|-----|-----|
| d. Checking for posted wage-rate determinations and the Davis/Bacon poster? | ___ | ___ | ___ | ___ |
| e. Checking the contractor's/subcontractor's payroll files? | ___ | ___ | ___ | ___ |
| f. Conducting worker interviews? | ___ | ___ | ___ | ___ |
| g. Reviewing the use of apprentices, trainees and helpers? | ___ | ___ | ___ | ___ |

STEP 3: Review the Actions taken by Recipients to Investigate and Follow-Up on Violations.

- | | | | | |
|--|-----|-----|-----|-----|
| a. Were investigations conducted in a timely manner? | ___ | ___ | ___ | ___ |
| b. Were records and documentation sufficient to support the finding? | ___ | ___ | ___ | ___ |
| c. Were appropriate cases referred to WBC? | ___ | ___ | ___ | ___ |

Who did the DB compliance monitoring? _____

Labor Standards Review of Recipients

Comments on Concerns in Recipient's Labor Standards System

Suggested Corrective Actions and Timetable

Follow-Up Contacts

Overview: This section summarizes suggested planning, technical assistance and monitoring activities.

Suggested Planning and Technical Assistance:

Planning and technical assistance activities should be directed at assuring that recipients:

- * Are aware of regulations and requirements.
 - * Have developed procedures for meeting their environmental responsibilities.
 - * Have or know how to obtain the resources needed to develop notices, assessments, reviews, records, statements, and other tools and instruments.
 - * Have established an Environmental Review Record to document all environmental activities.
-

Suggested Monitoring:

A State agency or agencies must be designated to monitor recipient compliance with environmental obligations. The following is a list of suggested technical assistance activities:

- Step 1: Check for maintenance of an Environmental Review Record.
 - Step 2: Check for the existence of a documented environmental assessment.
 - Step 3: Check for documentation of publication and public comment on notifications of proposed actions.
 - Step 4: Check for documentation of changes in assessment.
 - Step 5: Review actions taken by recipients to request release of funds and certification.
-

Checklist:

A suggested monitoring checklist for reviewing recipient compliance with environmental obligations is included on the following pages.

	Yes	No	N/A	See Notes
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Step 1: Environmental Review Record

- | | | | | |
|---|-----|-----|-----|-----|
| a. Is there an Environmental Review Record? | ___ | ___ | ___ | ___ |
| b. Is the Environmental Review Record available for public perusal? | ___ | ___ | ___ | ___ |

Does the Environmental Review Record document the environmental review process including:

- | | | | | |
|---|-----|-----|-----|-----|
| c. Coordination with other city/county agencies? | ___ | ___ | ___ | ___ |
| d. Assessment of effects? | ___ | ___ | ___ | ___ |
| e. Public notices? | ___ | ___ | ___ | ___ |
| f. Determination and findings? | ___ | ___ | ___ | ___ |
| g. Impacts? | ___ | ___ | ___ | ___ |
| h. What was the determination?
Exemption
Categorical Exclusion
FONSI
Need for additional review? EIS? _____ | | | | |
| j. Is there a copy of the Statutory Checklist?
Who signed and dated the forms as the
Certifying Officer? | ___ | ___ | ___ | ___ |
| k. Is there a copy of the Environmental Assessment
Checklist? Who signed and dated the forms as the
Certifying Officer? | ___ | ___ | ___ | ___ |
| l. Is there evidence on site and/or in the file
that grantee has complied with all applicable
regulations and agencies as listed on the
Statutory Checklist and/or Environmental
Checklist? | ___ | ___ | ___ | ___ |
| m. Is there evidence of compliance with
requirements concerning the use and
removal of lead-based paint? | ___ | ___ | ___ | ___ |

Yes	No	N/A	See Notes
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Step 2: Environmental Assessment

a. Were recipient's activities coordinated with those of any other Federal or State agency responsible for implementing applicable laws?	___	___	___	___
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Was the environmental process described, including:

b. project data?	___	___	___	___
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c. environmental impacts?	___	___	___	___
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d. alternatives considered?	___	___	___	___
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e. mitigation?	___	___	___	___
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f. findings?	___	___	___	___
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g. Were any historic (or potentially historic) structures or archeological sites involved?	___	___	___	___
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h. Was the State Historic Preservation Office (SHPO) notified?	___	___	___	___
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Step 3: Publication and Public Comments

a. Was a Notice of Finding of No Significant Impact (FONSI) published?	___	___	___	___
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b. Was a Notice of Intent to Request Release of Funds (NOI/RRF) published?	___	___	___	___
--	-----	-----	-----	-----

Was the FONSI Notice and/or NOI/RRF sent to:

c. Interested individuals and groups?	___	___	___	___
---------------------------------------	-----	-----	-----	-----

d. Appropriate local, federal, and state agencies?	___	___	___	___
--	-----	-----	-----	-----

e. A general circulation section of a newspaper?	___	___	___	___
--	-----	-----	-----	-----

f. Local post office and substations?	___	___	___	___
---------------------------------------	-----	-----	-----	-----

g. Is there documentation in the Environmental Review Record of the 15-day minimum time period for public comment on the Notice to Request Release of Funds?	___	___	___	___
--	-----	-----	-----	-----

	Yes	No	N/A	See Notes
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h. Is there a public comment or complaint file? _____

i. If any complaints or public comments are in the file, were they addressed? _____

Step 4: Project Changes of Alterations

a. Were there substantial changes in the magnitude or extent of the project and were they assessed? _____

b. Were there new circumstances that may have affected the project and were they assessed? _____

c. Was an alternative approach to the original environmental assessment selected for the revised assessment? _____

Step 5: Actions taken by recipients to Request Funds Certification.

a. Was the Request for Release of Funds and accompanying certification completed on the required forms? _____

b. Who signed and dated the RROF as the Certifying Officer? _____

c. Is there a copy of WBC's letter in the ERR stating that all environmental requirements have been met, as well as establishing the date costs can be incurred? _____

What was the release date? _____

d. Were all costs incurred after the date established or the Release of Funds letter was sent by WBC to the grantee? _____

Environmental Review of Recipients

Comments on Concerns in Recipient's Environmental Review System

Suggested Corrective Actions and Timetable

Follow-Up Contacts

Overview: This section summarizes suggested planning, and technical assistance, monitoring and other activities.

Suggested Planning and Technical Assistance and Other Activities:

Planning and technical assistance activities should be directed at assuring that recipients:

- * Are aware of all civil rights laws, regulations and requirements.

- * Carry out all program activities in compliance with these regulations and requirements.

* Are advised of all materials and data they must collect, develop and maintain.

Suggested Monitoring:

State administrators of Community Development Block Grants must certify that this program is implemented in compliance with all applicable civil rights laws.

The following is a list of suggested activities for monitoring recipient employment practices and the impact of CDBG programs and activities on protected groups.

Nondiscrimination in Recipient Employment

Step 1: Check for the adequacy of local government administrative policies.

Step 2: Check for civil rights compliance in housing programs.

Step 3: Check for civil rights compliance in employment and contracting.

Step 4: Check for civil rights provisions in contract awards.

Step 5: Check on civil rights provisions in displacement/relocation.

Step 6: Check for Section 504 compliance.

Checklist:

A suggested technical assistance checklist for reviewing recipient compliance with civil rights laws in its employment practices and in the provision of program benefits follows.

Civil Rights Laws are designed to prohibit discrimination on the basis of:

Race	Sex	Sexual Orientation
National Origin	Age (40 & over)	Gender Identity
Religion	Handicap	Veteran Status
Color	Familial Status (except Sr. Housing)	Genetic Information

	Yes	No	N/A	See Notes
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Step 1: Administration:

- | | | | | |
|--|-------|-------|-------|-------|
| a.. Does grantee have a separate Civil Rights File? | _____ | _____ | _____ | _____ |
| b. Does this CDBG recipient have a civil rights department, division, or agent within its structure which is required by law to address civil rights issues? | _____ | _____ | _____ | _____ |
| c. Does this CDBG recipient have a Housing and Community Development Plan? | _____ | _____ | _____ | _____ |
| d. Does the plan identify the needs of protected groups? | _____ | _____ | _____ | _____ |
| e. What activities have been undertaken to affirmatively further fair housing? | _____ | | | |
| f. Do these policies and practices comply with or supplement Federal Fair Housing, Equal Employment Opportunity, and other applicable Civil Rights Laws? | _____ | _____ | _____ | _____ |
| g. Does this CDBG project address the needs of protected groups? | _____ | _____ | _____ | _____ |
| Which groups? | _____ | | | |
| _____ | | | | |
| h. Does this CDBG project address those needs without exclusion or restrictions? | _____ | _____ | _____ | _____ |
| i. Is there demographic or census data or other acceptable table data available to document the characteristics of the protected groups? | _____ | _____ | _____ | _____ |
| j. Is there a file containing all public notices? | _____ | _____ | _____ | _____ |

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>See Notes</u>
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- | | | | | |
|--|-----|-----|-----|-----|
| k. Were all public notices published in accordance with CDBG procedures and civil rights laws? | ___ | ___ | ___ | ___ |
| l. Has the grantee received any complaints involving civil rights issues? | ___ | ___ | ___ | ___ |
| m. Were these complaints handled according to civil rights laws? | ___ | ___ | ___ | ___ |
| n. Has the grantee developed any working relationships with any civil rights groups in the area? | ___ | ___ | ___ | ___ |
| List the groups | | | | |
| _____ | | | | |
| _____ | | | | |
| _____ | | | | |

2: Housing:

- | | | | | |
|--|-----|-----|-----|-----|
| a. Does this city/town/county have an overall housing development plan? | ___ | ___ | ___ | ___ |
| i Does this plan address short and long-term community goals? | ___ | ___ | ___ | ___ |
| ii Does this plan offer a plan to minimize displacement or assist persons displaced by CDBG funded activities? | ___ | ___ | ___ | ___ |
| iii Does this plan affirm fair housing? | ___ | ___ | ___ | ___ |
| b. Does this plan adequately address civil rights issues? | ___ | ___ | ___ | ___ |
| c. Does this city/town/county have any working relationships or contract with housing groups? | ___ | ___ | ___ | ___ |
| List the groups | | | | |
| _____ | | | | |
| _____ | | | | |

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>See Notes</u>
d. Does this recipient display the fair housing logo and posters or distribute fair housing literature?	___	___	___	___
e. Is there data on the extent to which each of the following groups have participated in, or benefited from any program or activity funded in whole or in part with CDBG funds?	___	___	___	___
i. Racial and ethnic group?	___	___	___	___
ii. Single-headed household by gender?	___	___	___	___
iii. Household head handicapped?	___	___	___	___
iv. Elderly?	___	___	___	___
f. If CDBG related housing benefits are reviewed only through application, how are applicants ranked and rejected? (explain)	<hr/> <hr/> <hr/>			
Is this procedure consistent with CDBG civil rights objective?	___	___	___	___
g. If other private or public entities are (i.e., banks, public housing authorities, private business) _____				
Do they advocate Fair Housing and other civil rights issues?	___	___	___	___
h. Is there documentation to show that the recipient is promoting Fair Housing, Equal Employment Opportunities, and other civil rights requirements?	___	___	___	___
i. Are any loan or grant programs instituted by this CDBG program restrictive?	___	___	___	___

	Yes	No	N/A	See Notes
--	-----	----	-----	--------------

j. What publication methods and sources were used to advertise this program to the general public or other affected groups?

k. Were handicapped provisions included in this housing project?

	___	___	___	___
--	-----	-----	-----	-----

Step 3: Employment Contracting:

a. Has there been an effort to contact or include Minority Business Enterprises? Section 3 residents or businesses?

	___	___	___	___
	___	___	___	___

- Does documentation exist?

	___	___	___	___
--	-----	-----	-----	-----

b. Is there data on participation of lower-income residents in employment and retraining generated by CDBG funds?

	___	___	___	___
--	-----	-----	-----	-----

c. Were local/regional employment agencies (public and private) contacted?

	___	___	___	___
--	-----	-----	-----	-----

d. Were public notices and advertisements in accordance with CDBG civil rights objectives?

	___	___	___	___
--	-----	-----	-----	-----

e. How many low-income and/or minorities have been hired through the use of CDBG funds?

Low-Income Total _____

Minority Total _____

Does documentation exist?

	___	___	___	___
--	-----	-----	-----	-----

	Yes	No	N/A	See Notes
--	-----	----	-----	--------------

Step 4: Contract Awards

- | | | | | |
|--|-----|-----|-----|-----|
| a. Do recipient/contractor contracts include appropriate civil rights provisions? | ___ | ___ | ___ | ___ |
| b. Are any minority contractors included in the rejected bidders? | ___ | ___ | ___ | ___ |
| c. Are the reasons for denial appropriate to civil rights provisions? | ___ | ___ | ___ | ___ |
| d. Is there any evidence of unfair treatment of applicants and/or employees in CDBG funded construction projects? | ___ | ___ | ___ | ___ |
| e. Are there provisions in the contract for the general contractor to address the hiring of minority subcontractors? | ___ | ___ | ___ | ___ |
| Section 3 residents and business interests? | ___ | ___ | ___ | ___ |

Step 5: Displacement/Relocation:

- | | | | | |
|--|-----|-----|-----|-----|
| a. Have any businesses or individuals been displaced? | ___ | ___ | ___ | ___ |
| b. Does the grantee have a Displacement/Relocation plan? | ___ | ___ | ___ | ___ |
| c. Is this plan consistent with CDBG rules, regulations, and civil rights objectives? | ___ | ___ | ___ | ___ |
| d. Is data maintained on the impact of displaced households? | ___ | ___ | ___ | ___ |
| e. Is there documentation as to the types and location of replacement housing for the displaced persons? | ___ | ___ | ___ | ___ |

	Yes	No	N/A	See Notes
--	-----	----	-----	--------------

Step 6: Section 504 Compliance

a. Has initial notification that the sub - recipient does not discriminate on the basis of disability status been published? ____

Date Published: _____

b. Has a Section 504 coordinator been designated? ____

(Name of Designated Person)

c. Has a grievance procedure that provides for the submission and resolution of complaints been established? ____

d. Has a self-evaluation of programs and activities been completed? ____

e. Has a transition plan outlining necessary structural changes been completed? ____

f. Are continuing steps being taken to notify beneficiaries and employees the subrecipient does not discriminate on the basis of handicap? (All notices must be effective for those with impaired vision and hearing). ____

g. Is the facility constructed in compliance with the "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped". ____

Civil Rights Review of Recipients

Comments on Concerns in Recipient's Civil Rights Review

Suggested Corrective Actions and Timetable

Follow-Up Contacts

1. Have you physically visited the site of the project? _____

2. Describe the degree of completeness of the project:

3. If the project was finished, describe the activities or use of the site:

4. Are major items purchased with CDBG funds available for visible inspection? _____

List major items checked.

5. If this is an economic development project, does the business appear active and conducting business as would be expected? _____

6. If project is a business how many workers did you observe on the site? _____

Is the amount of observed workers consistent with the amount reported? _____

7. Are the Grantee or Recipient maintaining records to document the achievement of the hiring goal for retention of jobs or creation of jobs for low to moderate income persons as proposed in the original application and included in the Wyoming Business Council's contract? _____

7. If project is a community development project, did you sample the existing client files? _____

If so, how many were sampled and what were the results? _____

8. If project is under the slums and blight national objective, did you visit the sites where work was completed? _____

List the location of sites visited: _____

Were these sites in the original designated area? _____

Did the rehabilitation work seem consistent with the activities originally defined as causing the slums and blight? _____

9. If the project was not 100% complete, then based upon the on-site review, does the level of project implementation appear consistent with project progress reports? _____

b. Based upon the on-site review, does it appear that the project will be or has been completed in conformance with the implementation schedule in the grant contract? If not, please explain how situation will be resolved.

For all projects:

Have arrangements been made to assume retention of all CDBG related records for four years? _____

Were there any public comments, inquiries, or complaints regarding the project. If problems were identified or complaints were received, did they receive responses within a reasonable time period (15 days)? Were the problems or complaints resolved promptly and satisfactorily? _____

What additional materials are required to close this project?

Are there any missing documents?

If so, by what date will they need to be submitted?

Who is responsible for this follow-up?

Performance measures – what objective outcome was achieved with the project?

Number of beneficiaries and how was that number derived?

On-Site Review of Recipients

Comments on Concerns in Recipient's Program

Suggested Corrective Actions and Timetable

Follow-Up Contacts

Overview: This section summarizes suggested planning, technical assistance and monitoring activities.

Suggested Planning and Technical Assistance:

This monitoring section is divided into Acquisition and Relocation.

Planning and technical assistance should be directed toward assuring that recipients:

- * Are aware of Federal and State acquisition and relocation Programs.
- * Have the resources they need to establish and operate acquisitions and relocation programs.
- * Develop positive relationships with persons being displaced and attempt to assist them as much as possible.
- * Understand the importance of complete documentation of all activities.

Suggested Monitoring:

State administrators must monitor their recipients' compliance with the requirements of the Uniform Relocation and Assistance Act. It is suggested that technical assistance involve review of a random sample of project acquisition and relocation records for:

- * Accuracy of payments
- * Adequacy of documentation
- * Timeliness of activities
- * Evidence that assurances about the availability of housing and nondiscrimination have been matched by actual administrative practices.

It is suggested that a state's technical assistance activities include the inspection of some replacement housing and interview of some former property owners and displaced persons.

Follow-up Action:

The type of action to be taken will depend upon the finding. There are two types of findings, including:

- * Correctable Findings: Action may be taken to correct the violation and benefit the displaced person or former property owner.
 - * Other Findings: A negative finding has been made, but appropriate corrective action could not be expected to benefit the displaced person or former property owner. The recipient should take steps to prevent similar situations for occurring in the future.
-

ACQUISITION REVIEW

1. Total number of acquisitions proposed: _____
5. Number of acquisitions made to date: _____ -

6. Date WBC authorized the grantee to begin acquisition procedures:

7. Date WBC forwarded to grantee the record keeping requirements and information booklets: _____

General Information: Complete for EVERY Acquisition Monitored:

1. Name of property owner: _____
2. Telephone number: _____
3. Address of acquired property: _____
4. Property Use: Single Family Residence _____ Family Residence _____
Business _____ Nonprofit _____
5. Occupants? Yes _____ No _____
6. Tenants? Yes _____ No _____

Complete only for VOLUNTARY Acquisition, Not Governed by Uniform Act

Does the Grantee's file include the following documentation:

DATE	DOCUMENTATION IN FILE	AMOUNT
_____	Voluntary Agreement Between Grantee and Individual Seller	\$ _____
_____	Appraisal	\$ _____
_____	Was there a review of the appraisal?	\$ _____
	Who was the reviewer? _____	
_____	Contract signed/Proof of payment	\$ _____
_____	Recording property deed	\$ _____
_____	Record of settlement costs	\$ _____
_____	Filing of complaint or appeal (if applicable)	
_____	Resolution of complaint or appeal (if applicable)	

Complete for Acquisition GOVERNED BY UNIFORM ACT:

Does the Grantee's file include the following documentation.

DATE	DOCUMENTATION IN FILE	AMOUNT
_____	Preliminary Acquisition Notice issued	
_____	Contract for appraisal, including proof that owner was invited to accompany appraiser	
_____	First appraisal completed	\$ _____
_____	Second appraisal completed (if over \$25,000)	\$ _____
	Were the appraisals reviewed? _____	
	Name of Reviewer: _____	

DATE	DOCUMENTATION IN FILE	AMOUNT
_____	Written Offer to Purchase Statement of Determination of Just Compensation issued? _____	\$ _____
_____	Owner accepted offer	\$ _____
_____	Contract Signed/Evidence of Payment	
_____	Recording of property deed	
_____	Agreement for Compensation of Related Improvements (if applicable)	
_____	Justification of Excess Payment (if applicable)	
_____	Final Notice to Acquire by Negotiation issued (if applicable)	\$ _____
_____	(If condemnation, date proceedings started?)	\$ _____
_____	(If condemnation, date just compensation deposited with court)	\$ _____
_____	Filing of complaint or appeal (if applicable)	
_____	Resolution of complaint or appeal (if applicable)	
		See <u>Yes No N/A Notes</u>
_____	If the recipient permits an owner or tenant to occupy the real property acquired, was the rent charged equivalent to the fair rental value of the property?	_____

Relocation

1. Number of owner relocations proposed: _____ To date: _____
2. Number of tenant relocations proposed: _____ To date: _____
3. Number of business relocations proposed: _____ To date: _____
4. Total number of relocations proposed: _____ To date: _____
5. Method of relocation: governed by Uniform Act _____;
OR optional relocation _____
6. Were any complaints or appeals filed? Yes _____ No _____
If yes, describe issue and how it was resolved:
-

- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> | <u>See
Notes</u> |
|--|------------|-----------|------------|----------------------|
| 7. Approximately 60 days after the relocation payment has been made and the relocation has taken place, does the grantee follow-up to determine whether the replacement housing is satisfactory? | _____ | _____ | _____ | _____ |
| 8. Is there a separate relocation file for each displaced family for business? | _____ | _____ | _____ | _____ |
| In each file does there contain the following: | | | | |
| a. Identification of each person displaced (Residential only) | _____ | _____ | _____ | _____ |
| b. Legal description of the displacement property | _____ | _____ | _____ | _____ |
| c. Racial/ethnic group classification | _____ | _____ | _____ | _____ |
| d. Age and sex of all household members | _____ | _____ | _____ | _____ |
| e. Monthly rent and utility costs for displacement and replacement housing | _____ | _____ | _____ | _____ |
| f. Type of business | _____ | _____ | _____ | _____ |
| g. Written description of each household/ business relocation needs and preferences | _____ | _____ | _____ | _____ |

		<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>See Notes</u>
9.	Is a copy of the notice of relocation eligibility in the file?	___	___	___	___
10.	Did the notice of relocation eligibility reference the location and costs of comparable housing?	___	___	___	___
11.	If applicable, is the notice of right to continue occupancy included?	___	___	___	___
12.	Is a copy of the 90-day notice in the file (if the person was ordered to move)? Date they must move: _____	___	___	___	___
13.	Is there evidence of receipt of such 90 day notice?	___	___	___	___
14.	If the 90-day notice did not list a specific date the occupant must move, did it inform the occupant that there would be further notice indicating, at least 30 days in advance, the specific date for vacating?	___	___	___	___
15.	Was a 30-day notice in the file?	___	___	___	___
16.	If applicable, is there evidence of receipt of the 30-day notice?	___	___	___	___
17.	Is documentation of reason for refusing relocation referrals or payments included?	___	___	___	___
18.	Is there a replacement dwelling replacement report that includes date of inspection on file?	___	___	___	___
19.	Is there evidence that referrals to comparable replacement for both residential or business were adequate? Explain the evidence: _____	___	___	___	___
20.	Do files contain claims forms for payments?	___	___	___	___

From the Claims Forms provide the following:

FOR RESIDENTIAL RELOCATIONS

Monthly Housing Costs: Acquired Dwelling _____ Replacement _____

<u>Type Of Payment</u>	<u>Amt Claimed</u>	<u>Approved</u>	<u>Date Paid</u>
Moving Expenses			
Actual	\$ _____	\$ _____	\$ _____
Fixed	\$ _____	\$ _____	\$ _____

Replacement Housing Payment

Homeowner (180-day)	\$ _____	\$ _____	\$ _____
Rental Assistance (90-day)	\$ _____	\$ _____	\$ _____
Down Payment (90-day)	\$ _____	\$ _____	\$ _____

Household Characteristics

White _____ Black _____ American/Indian or Alaskan Native _____

Hispanic _____ Asian or Pacific Islander _____

Gross Family Income (monthly): \$ _____ Number of Family Members: _____

Female Head of Household _____ Handicapped _____ Elderly _____

For Business Relocations

<u>Type Of Payment</u>	<u>Amt Claimed</u>	<u>Approved</u>	<u>Date Paid</u>
Moving Expenses			
Actual	\$ _____	\$ _____	\$ _____
Fixed	\$ _____	\$ _____	\$ _____

Acquisition & Relocation Review of Recipients

Comments on Concerns in Recipient's Acquisition & Relocation System

Suggested Corrective Actions and Timetable

Follow-Up Contacts

Appendix A

CDBG PROJECT CONTACTS/RESPONSIBLE INDIVIDUALS

GRANTEE:

PROJECT:

RESPONSIBLE OFFICIAL (MAYOR OR CHAIR OF THE COUNTY COMMISSION)	RESPONSIBILITIES INCLUDE: SIGNING GRANT AGREEMENTS AND AMENDMENTS, SIGNING REPORTS, REQUESTING AMENDMENTS, UPDATING THE PROJECT CONTACTS FORM, AND MEETING ALL REQUIREMENTS LISTED IN OUR GRANT AGREEMENT.		
name, title			
organization			
mailing address			
phone		fax	
cell or other			
email address			

RESPONSIBLE FOR PROJECT ADMINISTRATION (USUALLY THE CLERK/TREASURER AN/OR NON PROFIT ORGANIZATION DIRECTOR)	PROJECT ADMINISTRATION, INCLUDING PREPARATION AND SUBMISSION OF DRAW DOWN REQUESTS.		
name, title			
organization			
mailing address			
phone		fax	
cell or other			
email address			

RESPONSIBLE FOR PREPARING QUARTERLY REPORTS	RESPONSIBILITIES INCLUDE COMPILING INFORMATION, PREPARING, SIGNING AND SUBMITTING QUARTERLY REPORTS TIMELY.		
name, title			
organization			
mailing address			
phone		fax	
cell or other			
email address			

RESPONSIBLE FOR CONSTRUCTION PROJECT MONITORING (USUALLY THE DIRECTOR OF PUBLIC WORKS)		RESPONSIBILITIES INCLUDE OVERSEEING CONSTRUCTION OPERATIONS, REVIEWING ALL INVOICES TO ASSURE THAT BILLED GOODS AND SERVICES HAVE BEEN DELIVERED, MONITORING PROCUREMENT REQUIREMENTS, CONSTRUCTION CLOSE-OUT AND RESPONDING TO ANY QUESTIONS THE WBC HAS ABOUT THESE ACTIVITIES AND MEETING ALL RELATED REQUIREMENTS LISTED IN YOUR GRANT AGREEMENT.	
name, title			
organization			
mailing address			
phone		fax	
cell or other			
email address			

RESPONSIBLE FOR FEDERAL LABOR ENFORCEMENT (SEE LABOR STANDARDS GUIDE ON WBC WEBSITE)			
name, title			
organization			
mailing address			
phone		fax	
cell or other			
email address			

RESPONSIBLE FOR PREPARATION AND ADMINISTRATION OF ENVIRONMENTAL REVIEW			
name, title			
organization			
mailing address			
phone		fax	
cell or other			
email address			

SIGNED: _____ DATE: _____	
<i>RESPONSIBLE OFFICIAL AS LISTED ON PAGE 1 OF THIS FORM</i>	
PRINTED NAME AND TITLE: _____	