

Public Facilities File Maintenance Instructions

(all public sewer, water and facility projects)

NYS CDBG Application

1. CDBG Application
 - a. Original signed application as submitted to OCR
2. OCR Award Letter
 - a. Original award letter
3. Grant Agreement
 - a. Original Grant Agreement Cover Letter
 - b. Original Grant Agreement between OCR and municipality with all signatures
4. Grant Agreement Program Amendment and Approval
 - a. If applicable, the request for a program amendment
 - b. The documentation submitted to OCR
 - c. OCR's determination
5. Grant Agreement Correspondence
 - a. All correspondence related to the grant agreement including e-mails

Release of Funds

1. Environmental Review Record
 - a. The complete Environmental Review Record (ERR); all OCR forms,
 - b. All comments received for involved agencies, including SHPO, DEC etc. For Type 1 or Unlisted actions, Request for Consent for Lead Agency Status and OCR concurrence of Lead Agency Status letter
2. Request for Release of Funds (RROF) and OCR Approval
 - a. Request for Release of Funds (Form 1-3), if applicable
 - b. OCR Concurrence of Exemption, Concurrence of Categorical Exclusion or Release of Funds (depending on NEPA classification)

Program Administration

1. Project description
 - a. Developed program policies and procedures that are approved by the local governing body and incorporated into a written manual available to the public
2. Project Scope of work
3. Project Map
 - a. Maps of the project area including the boundaries and any approved revisions to the project area:
4. Implementation Plan, recommended, refer to Chapter 1 of OCR GAM
5. Program Design
6. Subrecipient agreement
 - a. Copy of the signed subrecipient agreement if applicable
7. Professional services contracts Administration
 - a. Copy of all signed contracts for administrative services (may be combined with Program Delivery)

8. Professional Services Contracts Program Delivery
 - a. Copy of all signed contracts for program delivery services (may be combined with Administration)
9. Professional Services Contracts Engineering
 - a. Copy of all signed contracts for engineering or architectural design services, if applicable
10. Interagency Agreements
 - a. Copy of any signed agreement for interagency administration of the grant, for example, if a local Sewer or Water Authority or the County is undertaking the activity on behalf of the recipient, if applicable
11. National Objective Compliance
 - a. Copies of the survey instrument and survey methodology, if applicable
 - b. Copies of all completed income surveys, if applicable
 - c. Copies of the income limits used for the survey, if applicable
 - d. Summary data report of the survey
 - e. Census tract data including maps if using census data to demonstrate eligibility
12. Procurement Policy/Procedure
 - a. Copy of the local procurement policies/procedures
13. Conflict of interest
 - a. Copy of the local policy
 - b. If conflict of interest identified, a description of the conflict and action taken
 - c. For waivers, evidence of waiver request to OCR, public disclosure, opinion of attorney, OCR decision
14. Real Property Management
 - a. Required if using CDBG funds to purchase real property
 - b. Copy of the signed purchase agreement
 - c. Copies of maintenance

Civil Rights

1. Citizen Participation Plan
 - a. Copy of the local citizen participation plan
 - b. Copies of the public notices
 - c. Copies of the public meeting minutes
2. EEO4 Form
 - a. Recipients with 100 or more employees must keep records and report Civil Rights information. Recipients with 15 or more employees may be selected randomly to complete the EEO4 Form
3. Anti-Displacement and Relocation Plan
 - a. If undertaking activities that may result in displacement, a copy of the written displacement plan
 - b. If displacement or relocation occurred, copies of the actions taken including evidence of payment of relocation costs

4. Section 504
 - a. Copy of the municipality's self-evaluation
 - b. Documentation of actions taken to make facilities and services accessible to the handicapped
 - c. For municipalities with 15 or more employees, a copy of the written municipality-wide grievance procedures
 - d. For municipalities with 50 or more employees, a copy of the written municipality-wide grievance procedures as well as evidence of publication of these grievance procedures (28CFR35.107(b))
5. Equal Opportunity
 - a. Copy of local written employment and personnel policy that includes equal opportunity language
6. Fair Housing
 - a. Documentation of Fair Housing Officer
 - b. Copy of the Fair Housing Plan
 - c. Documentation of Fair Housing activities/actions
7. M/WBE and Section 3
 - a. Copies of M/WBE lists from Empire State Development Corporation (ESDC)
 - b. Copies of hiring processes and use of Section 3 Residents when hiring.
 - i. Per 24 CFR Part 135, Recipients must make economic opportunities such as employment, training and contracting opportunities available to Section 3 Residents or Business concerns. A Section 3 Resident is defined as (1) Residents of public housing or Indian housing; or (2) Individuals who reside within the metropolitan area or non metropolitan county in which the Section 3 covered assistance is expended and whose income does not exceed the local HUD income limits for low income households. A Section 3 Business Concern meets one of the following: (1) a business that is 51% or more owned by Section 3 residents; (2) a business whose permanent, full-time employees include persons, at least 30% of whom are currently Section 3 residents, or within 3 years of the date of first employment with the firm were Section 3 resident; or (3) a business that provides evidence of a commitment to subcontract in excess of 25% of the dollar amount of all subcontracts to be awarded to businesses that meet the qualifications.

Reports

1. Annual Performance Report
 - a. Copies of notification letters from OCR
 - b. Copies of all Annual Performance Reports, Form 3-1, including any revisions
 - c. Copies of any supporting documentation for the Annual Performance Reports (surveys submitted etc.)
2. Project Status Reports
 - a. Copies of all notification letters from OCR
 - b. Copies of all Project Status Report, Form 3-2, including any revisions

3. OCR Monitoring Report
 - a. Copy of OCR monitoring report, typically issued after the program has expended at least 80% of program funds
 - b. Refer to Chapter 8 of the OCR Grant Administration Manual for further guidance
4. Sub-Recipient Monitoring Report
 - a. Copy of monitoring report of sub-recipient by Recipient
 - b. Refer to Chapter 8 of the OCR Grant Administration Manual for further guidance
5. Grant Closeout Report
 - a. Forms 10-1 through 10-5
 - b. Refer to Chapter 10 of the OCR Grant Administration Manual for further guidance

Financial Management

1. Signatory and Depository Form
 - a. Signed copies of Forms 1-1 and 1-2
 - b. Signed copies of any revisions
2. Requests for Funds
 - a. Copies of all Request for Funds and Disbursement Form, 1-4 and 1-4A
 - b. Copies of all backup documentation
3. Bank Statements
 - a. Copies of the bank statements for the CDBG accounts
4. Budget amendments and modifications, if applicable
 - a. Copies of all budget amendments and modifications
 - b. OCR approval letters
 - c. Copies of Schedule Modifications
 - d. OCR approval Letters
5. Program Income
 - a. Copies of approved program income plans from HUD and NYS OCR (if applicable)
 - b. Copies of any modifications
 - c. Copies of approval letters from HUD or NYS OCR
 - d. Bank Statements for interest bearing program income bank account
6. Approved Cost Allocation Plan
 - a. If the municipality or its subrecipient is charging indirect costs to the CDBG program copies of the approved cost allocation plan (Refer to OMB A-122 or A-87)
7. Federal Assistance Expenditure Reports
 - a. Copies of notification letters, delinquent letters from OCR
 - b. Copies of any additional correspondence related to the form
 - c. Copies of all Federal Assistance Expenditure Reports, Form 9-1
8. Copies of all audits (Single, Program and State Comptrollers Audits) and evidence of resolution of all findings

9. Monthly Financial Status Report
 - a. Copies of the monthly reconciliation and status reports for all CDBG financial transactions
10. Financial Correspondence
 - a. Copies of any additional financial correspondence not contained in the previous files

Procurement RFP/RFQ

1. Request for Proposal
 - a. Copies of all RFPs issued
2. Request for Qualifications
 - a. Copies of all RFQs issued
3. RFP/RFQ Public Notice
 - a. Copies of legal notices for RFP/RFQ including affidavits of publication and any public postings
4. RFP/RFQ M/WBE Compliance
 - a. Copies of M/WBE listings from ESDC for each contract
 - b. Copies of direct solicitation letters to M/WBE
 - c. Copies of responses from M/WBE firms
5. RFP/RFQ Direct Solicitation
 - a. Copies of all direct solicitation letters
 - b. Copies of responses to direct solicitation
6. RFP/RFQ Proposals/ Qualifications Submitted
 - a. Copies of all proposals or qualifications submitted
7. RFP/RFQ Ratings/ Documentation for Selection
 - a. A copy of the selection criteria used
 - a. Copy of the tabulation of evaluation for each proposal/qualification submitted
 - b. Documentation of the process used to select (interviews, meeting minutes etc).
 - c. Copies of the letters to the firm awarded
 - d. Copies of the letters to the firms not awarded

Procurement Small Purchase

1. Non-Competitive
 - a. Documentation of compliance with non-competitive small purchase, contact your Community Developer
2. Competitive
 - a. Documentation of compliance with competitive small purchase, contact your Community Developer

Procurement IFB

1. Invitation for Bid
 - a. Copies of the bid specifications
 - b. Copies of the Invitations for Bid
 - c. Evidence of submittal and review of the bid specifications by OCR

2. IFB Public Notice
 - a. Copies of the affidavit of publication for the IFBs
 - b. Copies of any additional forms of public notification (posters, email, website etc.)
3. IFB Direct Solicitation List
 - a. Copy of list of firms directly solicited
 - b. Copies of the direct solicitation letters
 - c. Copies of responses to the direct solicitation letters
4. IFB M/WBE Compliance
 - a. Copies of the list of M/WBE firms obtained from ESDC
 - b. Copies of any direct solicitation letters to M/WBE firms
 - c. Copies of responses to direct solicitation from M/WBE firms
5. IFB Proposals Requested List
 - a. List of all firms requesting a bid package
 - b. Evidence that each firm who requested a bid, received a copy of the bid package
6. IFB Proposals Submitted List
 - a. Copies of all original bids submitted in response to IFB
 - b. List of firms who requested bid packages, but did not submit a bid
7. IFB Ratings, Selection Criteria
 - a. Copy of the ratings and selection criteria used to evaluate bids
 - b. Copy of the bid tabulation sheet
 - c. Evidence of the selection (meeting minutes, interviews, etc.)

Construction Contract

1. Notice of Award of Bid
 - a. Letters of award to awarded contractor
 - b. Letters of non awarded to contractors not receiving the contract
2. Notice to Proceed
 - a. Copy of the notice to proceed
3. Verification of Contractor Eligibility
 - a. Retain evidence from the State and Federal Debarred Contractor Listing that demonstrates the selected contractor is eligible to participate in the project.
4. Original Executed Contract and Amendments/Addendums
 - a. Original of the fully executed contract
 - b. Copies of all amendments and addendums
5. Bonds: Bid, Performance, Payment
 - a. Original Copies of the signed bid bond
 - b. Original Copies of the sign performance bond
 - c. Original Copies of the signed payment bonds
 - d. Evidence that the bonds were satisfied if the contractor backed out.

Labor Standards

1. Labor Compliance Officer
 - a. Evidence of designation of Labor Compliance Officer, including name and title
2. Wage Determination Request
 - a. Copies of the Wage Determination Request Form 5-1
 - b. Evidence that any determination not received from OCR, were submitted to OCR
 - c. Unclassified workers forms and responses from HUD.
3. Wage Rates-Federal
 - a. Copies of all wage determinations obtained from U.S. DOL or requested from NYS OCR, Form 5-1 Request for Wage Determination
 - b. Copies of any verified wage rates
4. Wage Rates-State
 - a. Copies of the wage determination obtained from NYS DOL
 - b. Copies of any verified wage rates
5. Preconstruction Conference
 - a. Copy of the agenda used and minutes
 - b. Copy of Exhibit 5-I-11 *Contractor's Receipt of Required Program Materials*
 - c. Copies of any signed certifications obtained.
6. Weekly Certified Payroll
 - a. Copies of each week's certified payroll for all contractors employed.
 - b. Evidence that the Labor Standards Compliance Officer reviewed and approved each certified payroll
7. Violations and Restitution
 - a. Copies or evidence of any violations with the payroll
 - b. Copies of the resolution or restitution of any violations including copies of checks demonstrating payment for underpaid workers
8. Employee Interviews
 - a. Copies of each employee interview form completed
 - b. Evidence that any violations noted during the interview have been resolved
9. Apprentice and Trainee Registration Forms
 - a. Copies of the required apprentice and trainee registration forms
10. Construction Progress and Inspection Reports
 - a. Copies of all construction progress and inspection reports
11. Contractor Payment Documentation
 - a. Copies of request for payment
 - b. Copies of cancelled checks showing payment
12. Notice of Satisfactory Completion
 - a. Copies of the Notice of Satisfactory Completion for each contract
13. Release of Liens and Warranty
 - a. Copies of the Release of Liens and Warranty received, issued by Surety Company for bonds