

EXHIBIT A

SCOPE OF SERVICES FOR CDBG FACILITIES

Subgrantee: **City of Littleton**

Project Name: **Shepperd Avenue Sidewalk Improvements**

Program Name: **Community Development Block Grant (CDBG)**

CFDA #: **CDBG 14.218**

Project #: **LTPF1807**

AGREEMENT AMOUNT: **\$ 114,750**

AGREEMENT END DATE AND PROJECT DEADLINE: **April 30, 2021**

INTRODUCTION

This Scope of Services is attached to and incorporated into the SubGrantee Agreement between the Board of County Commissioners of the County of Arapahoe, State of Colorado and **City of Littleton, Colorado** (SubGrantee) as referenced in the Agreement. The purpose of this Scope of Services is to further describe the project requirements referenced in Section II. C. - Performance Criteria of the SubGrantee Agreement.

1. FEDERAL REGULATORY INFORMATION

CDBG National Objective¹: Benefit to low- and moderate- income (LMI) persons

HUD Matrix Code:	03L Sidewalks	Proposed Number of beneficiaries*:	2,735 56.12% LMI
Accomplishment Type:	LMA – Low/Mod Area Benefit 01: People (General)		

*Beneficiaries are to be counted by the number of total number of ☒ PEOPLE or ☐ HOUSEHOLDS who will benefit from the project (including all members of a household).

The Project will be carried out under the:

☒ CDBG Area Benefit definition ☐ CDBG Limited Clientele definition

For Area Benefit, list neighborhoods and census tracts in which the Activity will be carried out:

Neighborhoods:	Ketring Park		
Census Tracts:	66.04	Block Group, if applicable:	66.04 Block Group 2 & 3

¹ Change to appropriate National Objective if necessary.

2. ACTIVITY DESCRIPTION/PERFORMANCE GOALS

a. Purpose (short description of program purpose)

The purpose of this project is to improve the city's pedestrian infrastructure by removing existing architectural barriers (narrow sidewalks without adequate/ADA compliant curb ramps); thereby, providing residents with safe sidewalks and access to the surrounding neighborhood. The improvements will provide all neighborhood residents with sidewalks and curb ramps that meet ADA standards.

b. Goals and Community Impact

The goal of this project is to successfully install five feet wide sidewalks and curb ramps that meet ADA standards, along W. Shepperd Avenue from South Elati Street to South Gallup Street. Thereby improving the pedestrian infrastructure around Ketring Park.

c. Project Address

Ketring Park neighborhood in Littleton, CO. Project boundaries are West Shepperd Avenue between South Gallup Street and South Elati Street. Project location is in Census Tract 66.04, Block Group 2 & 3, as these Census Tracts and Block Groups exceed the low income threshold for area benefit projects, as determined by the most current LMISD Data Sets used by the Federal Reporting system, IDIS.

d. Name of Organization Carrying out the Activity

Organization is: ☒ Another unit of local gov't; ☐ Another public agency; ☐ CBDO only; ☐ Subrecipient only; ☐ CBDO designated as subrecipient

e. Local Jurisdictions rules and regulations/ADA

SubGrantee agrees that it has read and understands the local jurisdiction's rules and regulations and local codes pertaining to the work and that all work will be permitted with the municipality and completed according to its rules and regulations. SubGrantee will perform the work in accordance with the Americans with Disabilities Act (ADA).

f. Detailed Program Requirements

- City of Littleton will complete a competitive bidding process through a request for proposal/invitation to bid.
- Before publishing, the bid packet must be reviewed and approved by County HCDS staff.
- Bid packet must include Davis-Bacon bid language, Davis-Bacon wage decision (most current Arapahoe County, Highway decision), HUD-4010 (Federal Labor Standards) and Section 3 Clause.
- Each Contract must include the correct Davis-Bacon wage decision, Federal Labor Standards and Section 3 Clause.

- Project will install roughly 2,144 linear feet of new concrete sidewalk curb and gutter that meet current ADA standards, along West Shepperd Avenue between South Gallup Street and South Elati Street.
- The selected general contractor must be registered in www.SAM.gov, with no active exclusions, meaning the contractor is eligible to receive federal funds, as determined by the www.SAM.gov search using the contractor name and/or DUNS number, as provided in the bid submission.
- General Contractor will be responsible for Davis-Bacon and Related Acts (DBRA) compliance.
- Selected contractor must use LCPTracker for submitting Davis-Bacon certified payrolls in accordance with DBRA requirements.
- Every effort to use local business firms and contract with small, minority-owned and/or women-owned, and Section 3 businesses in the procurement process should be made to the maximum extent feasible.
- Final Drawdown Request must be accompanied by a year-end Completion Report, highlighting project accomplishments, including pre and post pictures.

g. Program Income

Program income is the gross income received by the SubGrantee directly generated from the use of CDBG funds under this Agreement. Program income includes:

- Proceeds from the sale or lease of property purchased or improved with CDBG funds until five years after the termination of this Agreement;
- Proceeds from the sale or lease of equipment purchased with CDBG funds;
- Gross income from the use or rental of real or personal property acquired, constructed or improved by the SubGrantee less costs incidental to the generation of income;
- Payments of principal and interest on loans made by the SubGrantee using CDBG funds;
- Proceeds from the sale of loans or obligations secured by loans made with CDBG funds;
- Interest earned on program income pending its disposition (NOTE: interest earned on CDBG funds held in revolving loan funds is not program income and must be remitted to the U.S. Treasury at least annually); and
- Funds collected through special assessments on properties not owned and occupied by LMI households in order to recover the CDBG portion of a public improvement.

The County ☐ authorizes ☒ does not authorize the SubGrantee to retain Program Income to be used for eligible CDBG activities. If authorized, Program income may be used for the following purposes:

Reporting program income: On February 28 of each year, the SubGrantee must report to the County on the amount of Program Income received, less costs incidental to the generation of Program Income, that is in excess of \$25,000. Any Program Income in excess of the amount of CDBG funds identified in Section i. Budget must be repaid to the County.

i. Budget

ITEM	TOTAL BUDGET *Preliminary Estimate	AMOUNT PAID BY COUNTY
Construction Contract	\$181,000	\$114,750
TOTAL	\$181,000	\$114,750

The amounts in each budget line item may be adjusted with the written approval of the County; provided, however, that the total amount of the award does not change.

Retainage: Up to 5% of each draw may be retained to ensure that the work is completed satisfactorily. Retainage withheld will be paid within 60 days upon the completion and satisfactory inspection of the work.

3. DRAW REQUESTS

Draw requests are due for each calendar month by the 20th day of the following month. Draw requests must include:

- a. Draw cover sheet showing itemized list of expenditures (HCDS form)
- b. Supporting documentation (check all that apply):

- ☒ Third-party invoices or receipts
- ☒ Check copies showing payment cashment (cancelled checks)
- ☐ Lien Waivers
- ☒ Davis-Bacon Certified Payrolls
- ☒ Federal Accountability and Transparency Act form (Attachment 1)*

**Per the Federal Accountability and Transparency Act of 2006 as amended, compensation data for certain officials must be reported. The report form is attached herein as Attachment 1. This form must be submitted with the first draw request and updated if there are changes*

Note: Payments on draws submitted after May 20 may be delayed due to end-of-year HUD reporting

4. REPORTING

Data collection must be completed demonstrating income eligibility and achievements met towards meeting the objectives described in Section 2 Activity Description. The disbursement of funds is contingent upon the receipt of the required information.

Reports are due for each calendar month by the 20th day of the following month. Reports must include:

- No. of beneficiaries served during the reporting period
- Demographic information* for ☒ the individual served, or ☐ each household member
- Household income* (if applicable)
- Brief narrative report on activities contained in Section 2

*HCDS will provide a form for the collection of beneficiary income and demographic information; however, the SubGrantee may use its own form, or a form used for another fund source for the same program, provided that the following information is collected:

- Unique identifier: Name and address
- Whether the head of household is female and/or disabled
- Whether the head of household is aged 62 years or older
- Total number of household members
- Total income of all household members
- Ethnicity: Hispanic or Latino OR Not Hispanic or Latino of each household member
- The race of each household member:
 - White
 - Black or African American
 - Asian
 - American Indian or Alaska Native
 - Native Hawaiian or Other Pacific Islander
 - American Indian or Alaska Native and White
 - Asian and White
 - Black or African American and White
 - American Indian or Alaska Native and Black or African American
 - Other Multi-Racial

NOTE: Both ethnicity AND race category must be selected for each household member
- Signature attesting to the accuracy of the information submitted.

5. RECORD-KEEPING AND MONITORING

SubGrantee shall retain on file the following documents for a period of five years beyond the final close-out of this grant. Files shall be made available to Arapahoe County, the Department of Housing and Urban Development, the Office of Inspector General, the General Accounting Office, or any other federal regulatory agency, upon request for monitoring purposes.

1. Agreement between County and SubGrantee
2. Draw Requests and supporting documentation (see Section IV Draw Requests)
3. Beneficiary Data (see Section V Reporting)
4. Annual audits
5. Records of compliance with federal procurement rules when the SubGrantee awards contracts, utilizing CDBG funds, for services, supplies, materials or equipment, that are in the amount of \$100,000 or more, or when CDBG funds, in any amount, are used for construction activities. SubGrantees should follow their local jurisdiction's or State procurement policies; provided that they are not in conflict with applicable federal law. Labor clauses contained in HUD-4010 and the applicable Davis-Bacon wage rate decision must be a physical part of a bid package. *24 CFR 85.36*
 - a. Copies of bid documents
 - b. Copies of contracts
 - c. Copies of all payments and supporting documentation to contractors and vendors
6. Records pertaining to Labor Laws and Requirements
<http://www.hud.gov/offices/adm/hudclips/forms/files/4010.pdf>
7. Davis-Bacon wage rate decisions when project costs are \$2,000 or more
8. Davis-Bacon weekly payroll records, including overtime records
9. Section 3 outreach efforts, for contracts between the County and SubGrantee that are in the amount of \$100,000 or more, and for contracts between the SubGrantee and its sub-contractors that are in the amount of \$200,000 or more
 - a. Women and Minority Business Enterprise - outreach efforts and records of contracts with woman- and minority-owned businesses

- b. Copies of contracts with sub-contractors
10. Records of lead-based paint assessment, abatement and final clearance, if applicable
 11. Records of asbestos assessment, abatement and final clearance, if applicable
 12. Records of acquisition and/or relocation, if applicable

FOR COUNTY USE ONLY – FEDERAL IDIS REPORTING

1. Performance Goal: ☒ Create suitable living environments; ☐ Provide decent affordable housing; ☐ Create economic opportunities
2. Performance Outcome: ☒ Availability/Accessibility; ☐ Affordability; ☐ Sustainability
3. Check box if project address is to be marked as confidential ☐
4. Activity Purpose: ☐ Prevent Homelessness; ☐ Help the Homeless; ☐ Help those with HIV/AIDS; ☒ Help persons with disabilities
5. ☐ Accomplishments to be reported at another activity: IDIS #
6. Activity being carried out by Grantee? ☐ yes; ☒ no If yes, activity is being carried out through: ☐ Employees; ☐ Contractors; ☐ Both
7. If Agreement is with another County department, the activity will be carried out by: ☐ County employees; ☐ Contractors;
☐ Both
8. Area Type: ☐ CDFO Area; ☐ Local Target Area; ☐ Strategy Area
9. Special Characteristics: ☐ Presidentially Declared major Disaster Area; ☐ Historic Preservation Area; ☐ Brownfield Redevelopment Area –
indicate number of acres remediated: _____
10. Activity Information: ☐ One-for-One Replacement; ☐ Displacement; ☐ Favored Activity; ☐ Special Assessment; ☐ Revolving Fund; ☐ Float
Funded

Attachment 1

Arapahoe County HCDS

Federal Funding Accountability and Transparency Act (FFATA)

In accordance with Federal Acquisition Regulation Clause 52.204-10, reporting is required for awards of \$25,000 or more.

Information Field	Response
Definitions can be found on the reverse of this form.	
1. Agency or Jurisdiction DUNS number:	
2. Subrecipient name Receiving Award:	
3. Subrecipient Parent DUNS number: (report if different from agency number above)	
4. Location of Entity Receiving Award: (full street address)	
5. Primary location of Performance of the Award: (City, State and Congressional District)	
	Answer True or False (below)
6. In the preceding fiscal year, Contractor received:	
a.) \$25,000,000 or more in annual gross revenues from federal procurement contracts/subcontracts and/or federal financial assistance awards or subawards subject to the Transparency Act.	
b.) 80% or more of its annual gross revenues from federal procurement contracts/subcontracts and/or federal financial assistance awards or subawards subject to the Transparency Act.	
c.) The public does not have access to information about the compensation of its five most highly compensated Executives through periodic reports filed through the Securities Exchange Act of 1934 or the IRS.	

An answer to question 7 is required ONLY when all answers to questions 6 are true.

7. Names and total compensation of the five (5) most highly compensated Executives for the preceding fiscal year:

<u>Print Name</u>	<u>Compensation Amount</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By signing below, I certify the information contained in this report is complete and accurate to the best of my knowledge.

Signature of Responsible Administrator and Title	Date

Definitions

1. The DUNS Number of the agency receiving the award, which is used as the unique entity identifier. **DUNS Number - Dun and Bradstreet (D&B)** – This commercial entity maintains a repository of unique identifiers (D-U-N-S Numbers), which are nine-digit sequences recognized as the universal standard for identifying business entities and corporate hierarchies. Any organization that has a Federal contract or grant must have a DUNS Number.
2. The name of the entity receiving the award; Sub-Grantee, Sub-Recipient, Sub-Awardee.
3. The DUNS Number of the agency receiving the award (if different than Sub-Recipient in box #1), which is used as the unique entity identifier. **DUNS Number - Dun and Bradstreet (D&B)** – This commercial entity maintains a repository of unique identifiers (DUNS Numbers), which are nine-digit sequences recognized as the universal standard for identifying business entities and corporate hierarchies. Any organization that has a Federal contract or grant must have a DUNS Number.
4. The business office location of the entity receiving the award under the award including the city, state, congressional district, and country.
5. The primary location of performance under the award including the city, state, congressional district, and country.
6. The names and total compensation of the five highest-paid officers of an entity if, in the preceding fiscal year, that entity received: 80% or more of its annual gross revenues in Federal awards, \$25,000,000 or more in annual gross revenues from Federal awards, and the public does not already have access to data on executive compensation through reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934, or section 6104 of the Internal Revenue Code of 1986.