

MORRIS COUNTY COMMUNITY DEVELOPMENT PROGRAM
CDBG MUNICIPAL GRANTS

GENERAL INSTRUCTIONS – CONSTRUCTION PROJECTS

I. **PROCUREMENT PROCEDURES:**

All State of New Jersey bid laws and federal procurement regulations cited at **2 CFR Part 200. 317-343 (effective December 26, 2014) (unless the federal award was made before December 26, 2014 then 24 CFR Part 84 and 85 still governs)** must be adhered to.

If you are planning to buy materials and use force account to assure compliance with federal procurement standards, please call our office.

II. **COMPETITION**

§ 200.319 Competition.

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

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

(b) The non-Federal entity (subrecipient) must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(c) The non-Federal entity (subrecipient) must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

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

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(d) The non-Federal entity (subrecipient) must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity (subrecipient) must not preclude potential bidders from qualifying during the solicitation period.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]

III. BONDING REQUIREMENTS: Section 200.325

Bonding Requirements: Section 200.325 permits the Federal agency to accept the recipient’s bonding policy and requirements if the Federal agency has determined that the Federal interest is adequately protected, and if not, the minimum requirements (abbreviated) are as follows:

- a) A bid guarantee from each bidder equivalent to five percent of the bid price.
The “bid guarantee” shall consist of a firm commitment such as a bid bond, certified check or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified. (**Note:** State of NJ requires ten percent of the bid price).
- b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is executed in connection with a contract to secure fulfillment of all the contractor’s obligations under such contract.
- c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.
- d) Bonding companies must be listed in OMB Circular 570, not just State of NJ.

IV. SMALL AND MINORITY AND WOMEN'S BUSINESS ENTERPRISES

In order to comply with applicable federal requirements, subgrantees and prime contractors should take all the necessary affirmative steps to assure that minority firms and women's business enterprises and labor surplus area firms are used to the maximum extent possible. These steps shall include:

- a) Placing qualified small and minority and women's business enterprises on solicitation lists.
- b) Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources.
- c) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises.
- d) Establishing delivery schedules, where the requirements permit, which will encourage participation by small and minority businesses and women's business enterprises.
- e) Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce. This office will provide a New Jersey Commerce list of certified women and minority owned companies for your use based on the crafts indicated on your wage request form.
- f) Requiring the prime contractor, if sub-contracts are to be let, to take the affirmative steps as outlined in IV (a) through (e) of this paragraph.

V. SECTION 3-(24 CFR part 135) (2CFR §200.319).

In conformance with the requirements of *Section 3 of the Housing and Community Development Act of 1968*, to the greatest extent feasible, subrecipients with projects of \$100,000 or more must award contracts for work to be performed to eligible ***business concerns located in or owned by residents of the target area*** to ensure that the employment and other economic opportunities generated by Federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low- and very low-income persons, particularly those who are recipients of governmental assistance for housing.

A Section 3 covered project involves the construction or rehabilitation of housing (including reduction of lead-based paint hazards), or other public construction such as street repair, sewage line repair or installation, updates to building facades, etc. All contractors or subcontractors that receive covered contracts in excess of \$100,000 for housing construction, rehabilitation, or other public construction are required to comply with the requirements of Section 3.

If the contractor/subcontractor has the need to hire new persons to complete the Section 3 covered contract or needs to subcontract portions of the work to another business, they are required to direct their newly created employment and/or subcontracting opportunities to Section 3 residents and business concerns. The same numerical goals apply to contractors and subcontractors (i.e., 30 percent of new hires, 10 percent of construction contracts, and 3 percent of non-construction contracts).

In addition, the Subrecipient must notify the recipient agency (The County of Morris-Office of Community Development) about their efforts to comply with Section 3 and submit any required documentation. For example, if a recipient agency awards 3 contracts (grant agreements are legal contracts) (at \$36,000; \$50,000; and \$20,000 for a cumulative total of \$106,000) to one contractor for three different projects within a twelve month period, the contractor is not required to comply with the requirements of Section 3 because none of his contracts met the \$100,000 threshold. However, those projects which total more than \$100,000 in overall expenses, and despite getting less than \$100,000 from CDBG funds, will also be covered under Section 3. Also, any SINGLE contract in excess of \$100,000 is subject to Section 3 REGARDLESS of the amount of CDBG funds.

Section 3 covered non-construction projects include maintenance contracts, including lawn care, re-painting, routine maintenance, HVAC servicing, and professional service contracts associated with construction (ex.: architectural, engineering, legal services, accounting, marketing, etc.).

Other public construction includes infrastructure work, such as extending water and sewage lines, sidewalk repairs, site preparation, installing conduits for utility services, etc.

All section 3 covered contracts shall include the following clause (referred to as the section 3 clause):

A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.

C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and

job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.

F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

G. With respect to work performed in connection with section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

VI. SPECIFICATION INCLUSIONS:

In order to comply with applicable federal regulations, the attached "Specification Inclusions" ATTACHMENTS A – J **MUST** be contained in the contract documents in every contract over \$2,000 and ATTACHMENT I and J if contract will exceed \$100,000. In order to expedite the review and approval process, include these attachments in their entirety at the back of the bid specifications.

VII. REJECTION OF BIDS:

The municipality is prohibited from making any awards to contractors or approving as subcontractors any individual(s) or firm(s) which are on lists of contractors ineligible to receive awards from the United States Government. The Debarment listing can be found at www.SAM.gov. Please send us the wage determination request so we may be able to send you a debarred clearance letter.

VIII. OUTREACH:

In order to inform the residents of the County of Morris where Federal tax dollars are being spent in the County, please erect a sign on the site, in a location most visible to the public stating “Funds for this project are provided from the Morris County Community Development Block Grant Program”.

CDBG MUNICIPAL GRANTS

COMPLIANCE CHECKLIST – CONSTRUCTION PROJECTS

Engineering/Architectural Professional Services (applicable if funded through the grant)

If the municipality is not using in-house or contracted engineering services (for in-house architectural and engineering services CDBG monies cannot be used-sub-recipient should submit a copy of contract and/or resolution for that year in which in-house professional services were procured):

- ❑ Solicit via an RFP or RFQ (see HUD guidelines with Grantee-must be reviewed by Office of Community Development before advertising). At a minimum, at least two (2) proposals must be received for competitive bidding and thereafter, a debarred letter will be issued by this office when Attachment G is received on the chosen engineer or architect. Please submit contract and all pertinent documentation to this office prior to award.

Bid Preparation:

- ❑ Thirty days prior to advertising for bids, you must complete the highlighted sections of the Request for Determination and Response to Request (Form 308) and forward it to this office.
- ❑ You will be notified of the appropriate wage rates. **THESE WAGE RATES MUST BE INCLUDED IN THE BID SPECIFICATIONS** (wage rates expire after 180 days of issuance-if bidding is occurring after 180 of issuance, please contact our office for a revised wage rate).
- ❑ Insert the Specification Inclusion Package, ATTACHMENTS A through J.
- ❑ Send a copy of the completed bid package to the Office of Community Development for review and approval before going out to bid.

Bid Advertising:

- ❑ You must include the language as contained in ATTACHMENT A “Notice to Bidders” in your legal notice.
- ❑ Send a copy of the Legal Notice to this office.
- ❑ Notify this office of the bid opening date.

Bid Review:

- ❑ Maintain a bid tabulation and dates of all bidders and amounts of bids and which bidder is chosen.
- ❑ Submit ATTACHMENT G “Contractors Clearance Requirements” and bid tabulation sheet to this office.
- ❑ For contracts in excess of \$100,000, assure that ATTACHMENT I and J “Lobbying Certification has been executed by the contractor.
- ❑ Prior to contract award, this office must check the contractors against the Federal debarred list.
- ❑ Should bid negotiation develop, please contact this office so we may ensure that the negotiation procedures are in compliance with applicable regulations.

Bid Award:

- ❑ Notify this office of the award (after receiving clearance letter from us).
- ❑ Send a copy of the executed contract and Resolution to this office.

Construction:

- ❑ Schedule a pre-construction conference and notify this office so that we can attend.
- ❑ Notify this office of the start date and work schedule.
- ❑ Notify this office upon completion of activity.

Reimbursement of activity costs:

- ❑ Submit to the Director of Office of Community Development signed and dated County of Morris voucher with detailed support documentation such as:
 - ❑ Certified payrolls
 - ❑ Progress payment worksheet
 - ❑ AIA document
 - ❑ Contractors invoices

Upon final payment of the grant, the Community Development office will issue a close-out letter notifying you of the conclusion of grant disbursements for this activity. The activity is not completed until we receive the audit that demonstrates that the grant was expended during the year it was disbursed.

STAFF NOTE: INSERT REQUEST FOR WAGE DETERMINATION AND RESPONSE TO REQUEST FORM 308 – LOCATED ON “W” COMPLIANCE PACKAGE FORM 308 – UPDATED WITH HIGHLIGHTED FIELDS.DOCX (SEE BELOW)-PLEASE USE COPY OF THE WAGE DETERMINATION AND RESPONSE REQUEST PROVIDED TO YOU AND SEND TO US NOT TO U.S DEPARTMENT OF LABOR.

Request For Wage Determination And Response To Request (Davis Bacon Act as Amended and Related Statutes)		U.S. Department of Labor Employment Standards Administration Wage and Hour Division		
FOR DEPARTMENT OF LABOR USE		Mail Your Request To: U.S. Department of Labor Employment Standards Administration Wage and Hour Division Branch of Construction Contract Wage Determinations Washington, D.C. 20210		CHECK OR LIST CRAFTS NEEDED (Attach continuation sheet if needed)
<input type="checkbox"/> Response To Request <input type="checkbox"/> Use area determination issued for this area	Requesting Officer (Typed name and signature) Timothy J. Tamm	Phone Number		<input type="checkbox"/> Asbestos workers <input type="checkbox"/> Boilermakers <input type="checkbox"/> Bricklayers <input type="checkbox"/> Carpenters <input type="checkbox"/> Cement masons <input type="checkbox"/> Electricians <input type="checkbox"/> Glaziers <input type="checkbox"/> Ironworkers <input type="checkbox"/> Laborers (Specify classes)
<input type="checkbox"/> The attached decision noted below is applicable to this project	Department, Agency, or Bureau	Date of Request	Estimated Advertising Date	Estimated Bid Opening Date
Decision Number	Prior Decision Number (if any)	Estimated \$ Value of Contract <input type="checkbox"/> Under 1/2 Mil <input type="checkbox"/> 1 to 5 Mil <input type="checkbox"/> 1/2 to 1 Mil <input type="checkbox"/> Over 5 Mil	Type of Work <input type="checkbox"/> Bldg. <input type="checkbox"/> Highway <input type="checkbox"/> Resid. <input type="checkbox"/> Heavy	
Date of Decision	Address to which wage determination should be mailed. (Print or type)			<input type="checkbox"/> Lathers <input type="checkbox"/> Marble & tile setters, terrazzo workers <input type="checkbox"/> Painters <input type="checkbox"/> Piledrivers <input type="checkbox"/> Plasterers <input type="checkbox"/> Plumbers <input type="checkbox"/> Roofers <input type="checkbox"/> Sheet metal workers <input type="checkbox"/> Soft floor layers <input type="checkbox"/> Steamfitters <input type="checkbox"/> Welders-rate for craft <input type="checkbox"/> Truck drivers <input type="checkbox"/> Power equipment operators (Specify types)
Expires	County of Morris Department of Human Services Division of Community & Behavioral Health Services Office of Community Development POB 906 Morristown, NJ 07963-0906			<input type="checkbox"/> Other Crafts
Supersedes Decision Number	Location of Project (City, County, State, Zip Code)			_____ _____ _____ _____
Approved	Description of Work (Be specific) (Print or type)			_____ _____ _____ _____

308-104
NSN 7540-00-105-0078

Standard Form 308 (Rev. May 1985)
U.S. Department of Labor -29 CFR Part 1

SPECIFICATION INCLUSIONS PACKAGE

ATTACHMENT A – NOTICE TO BIDDERS

ATTACHMENT B – EXECUTIVE ORDER #11246

ATTACHMENT C – ACCESSIBILITY TO CONSTRUCTION SITE AND
CONTRACTORS FILES

ATTACHMENT D – INTEREST OF OTHER PARTIES

ATTACHMENT E – SECTION 3 REQUIREMENTS

ATTACHMENT F – FEDERAL LABOR STANDARDS PROVISIONS

ATTACHMENT G – CONTRACTOR CLEARANCE REQUIREMENTS

ATTACHMENT H - CLEAN AIR ACT AND THE FEDERAL WATER POLLUTION
CONTROL ACT

ATTACHMENT I – CERTIFICATION REGARDING LOBBYING

ATTACHMENT J – HOUSING CONSTRUCTION STANDARDS

ATTACHMENT A

NOTICE TO BIDDERS

Funding for this project is provided by the United States Department of Housing and Urban Development to the County of Morris. Therefore, the Federal Labor Standards Provisions and Davis Bacon wage rates and reporting will apply. Attention is called to the fact that the contractor must ensure that employees and applicants for employment are not discriminated against because of their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation and to the greatest extent possible, opportunities for training and employment shall be given to lower-income residents of the project area and that, when possible, contracts shall be awarded to business concerns owned by area residents. Small, Minority and Women's Business Enterprises, and Section 3 businesses (contracts and subcontracts over \$100,000) are encouraged to submit bids.

ATTACHMENT B

EXECUTIVE ORDER 11246

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

- (1) The contractor will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this non-discrimination clause.
- (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation.
- (3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965 and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965 and of the rules, regulations and relevant orders of the Secretary of Labor.
- (5) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965 and by the rules, regulations and orders of the Secretary of Labor or pursuant thereto and will permit access to his books, records and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
- (6) In the event of the contractor's non-compliance with non-discrimination clauses of this contract or with any of such rules, regulations or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965 and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965 or by rule, regulation or order of the Secretary of Labor or as otherwise provided by law.
- (7) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that in the event the contractor becomes involved in or is threatened with litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

ATTACHMENT C

ACCESSIBILITY TO CONSTRUCTION SITE AND CONTRACTOR'S FILES

The municipality, the County of Morris, Department of Human Services, Division of Community & Behavioral Health Services, Office of Community Development and the U.S. Department of Housing and Urban Development shall have access to and be permitted to observe and review all work, materials, equipment, payrolls, personnel records, employment, material invoices, contractors' books of account, relevant data and records.

ATTACHMENT D

INTEREST OF OTHER PARTIES

No member of or delegate to the Congress of the United States of America or Resident Commissioner shall be admitted to any share or part of this contract or to any benefit to arise therefrom.

No member, officer or employees of the County of Morris or its designees or agents, no member of the governing body of the locality in which the project is situated and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the project shall, during his tenure or for one year thereafter, have any interest, direct or indirect, in this matter or the proceeds thereof.

ATTACHMENT E

SECTION 3 REQUIREMENTS

In conformance with the requirements of *Section 3 of the Housing and Community Development Act of 1968*, to the greatest extent feasible, subrecipients receiving \$100,000 or more must award contracts for work to be performed to eligible ***business concerns located in or owned by residents of the target area*** to ensure that the employment and other economic opportunities generated by Federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low- and very low-income persons, particularly those who are recipients of governmental assistance for housing.

1. The work to be performed under this contract is on a project assisted under a program providing direct Federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701, Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given to lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in or owned in substantial part by the persons residing in the area of the project.
2. The parties to this contract will comply with the provisions of said Section 3 and the requirements issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR 135 and all applicable rules and orders of the Department issued thereunder prior to the execution of this agreement. The parties to this contract certify and agree that they are under no contractual or other disability, which would prevent them from complying with these requirements.
3. The contractor will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organizations or workers' representative of his commitment under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
4. The contractor will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for or recipient of Federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR 135. The contractor will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR 135 and will not let any subcontract unless the subcontractor has first provided the contractor with a preliminary statement of ability to comply with the requirements of these regulations.
5. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135 and all applicable rules and orders of the Department issued thereunder prior to the execution of the contract, shall be a condition of the Federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant, loan agreement or contract through which Federal assistance is provided and to such sanctions as are specified by 24 CFR 135.

Morris County Community Development Program – Specification Inclusions

ATTACHMENT F

FEDERAL LABOR STANDARDS PROVISIONS

STAFF: Insert Federal Labor Standards Provisions HUD-4010

ATTACHMENT - G

CONTRACTOR CLEARANCE REQUIREMENTS

COMPANY NAME: _____

OFFICE ADDRESS: _____

PHONE NUMBER: _____

FEDERAL TREASURY NUMBER: _____

WBE

MBE

PRINCIPAL OFFICERS

PRESIDENT: _____

ADDRESS: _____

SOCIAL SECURITY NUMBER: _____

VICE PRESIDENT: _____

ADDRESS: _____

SOCIAL SECURITY NUMBER: _____

TREASURER: _____

ADDRESS: _____

SOCIAL SECURITY NUMBER: _____

SECRETARY: _____

ADDRESS: _____

SOCIAL SECURITY NUMBER: _____

ATTACHMENT H

CLEAN AIR ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT

The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.).

ATTACHMENT I

CERTIFICATION REGARDING LOBBYING

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

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee or Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the contract documents for all subcontracts and that all subcontractors shall certify and disclose accordingly.

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

Name of Company

Authorized Signature

Print Name

Title

Date:

Morris County Community Development Program – Specification Inclusions

ATTACHMENT J

HOUSING CONSTRUCTION STANDARDS

The structure must meet the standards set by the New Jersey State and local codes.

The contractor is responsible for obtaining all permits and complying with local building codes.