



CITY OF MERCED INTERDEPARTMENTAL COOPERATIVE AGREEMENT

This Interdepartmental Cooperative Agreement between the City of Merced Engineering Department and the City of Merced Housing Division is entered into this ____ day of _____, 20_____.

The parties agree as follows:

1. **Scope of Services.** The Engineering Department will be responsible for administering a Community Development Block Grant (CDBG) Year 2016-17 grant in a manner satisfactory to and consistent with any standards required as a condition of providing these funds. The Engineering Department will make improvements to various sidewalks for the Sidewalk and ADA Ramp Improvements as defined in the application for the project.
2. **Time of Performance.** The project will be completed no later than June 30, 2018.
3. **Budget and Use of Funds.** The total amount to be paid by CDBG funds under this agreement shall not exceed \$133,410. Payment will be made only for the cost of constructing the above-described improvements and direct costs for advertising, printing, and other necessary costs to bid the project. Administrative time will not be eligible for reimbursement.
4. **Goals.** This project will meet a CDBG national objective by providing a benefit primarily to a low- and moderate-income area, specifically Census Tract 15.03.
5. **Grant Compliance.** The Engineering Department agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the regulations concerning CDBG funds). The Engineering Department also agrees to comply with all other applicable federal, state, and local laws, regulations, and policies governing the funds provided under this Agreement.
6. **Procurement.** The Engineering Department will procure a construction contract or construction contracts and any services in a manner consistent with the federal requirements at 24 CFR 85.36. This will include the following steps:
 - a. *Bidding.* Obtain the current labor standards package, including federal wage determination, from Engineering Department staff for inclusion in the bid package. Release and advertise an Invitation for Bid or equivalent to solicit sealed bids. Update the federal wage determination 10 days prior to opening.
 - b. *Contractor selection.* After bids have been opened, provide a complete list of bidders to the Engineering Department. Include a copy of the submission from the lowest responsive and responsible bidder. The Engineering Department will check the contractor's and subcontractors' license and federal debarment status and inform the Housing Division of the contractor's eligibility to enter into an agreement with the Engineering Department.
 - c. *Contracting.* Provide the Housing Division with a copy of the executed contract.

7. **Construction Management.** The Engineering Department will provide the following information throughout the course of the project:
- a. Date, time, and location of the pre-construction conference. This should be held at a time when a representative of Housing Division is able to attend.
 - b. 10-day labor standards compliance documents.
 - c. A sufficient schedule of work to take place sufficient so that the Housing Division is able to determine when required employee interviews should be conducted, and updated schedules as needed.
 - d. Copies of any payrolls or other labor standards compliance documentation, if not submitted directly to the Housing Division.
 - e. Copies of all change orders.

Please note that if the labor standards compliance information is not complete and correct through the date of any payment request, that payment request may not be paid until proper information is submitted.

8. **Payment Requests.** The Engineering Department shall submit all payment requests for the project to Housing Division staff for payment, with certification that the percentage of work completed is in line with the payment request. After Housing Division approval, payment will be made by the Finance Department. Payment requests for construction work should contain:
- a. Original invoice(s) from the contractor.
 - b. Approving signature by an authorized representative of the Engineering Department or the City Engineer, indicating that all charges have been reviewed and found to be consistent with the contract and applicable rules for disbursement.
 - c. W-9 (Request for Taxpayer Identification and Number and Certification) for the vendor.

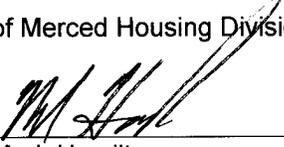
Payment requests for direct costs associated with implementing the project, such as printing or advertising costs, should be submitted to the Housing Division with an original copy of the invoice and applicable back-up documentation.

9. **Property Management.** The sidewalk improvements are considered a public facility improvement. The Engineering Department will comply with all applicable federal policies regarding real property and property improvements, including the following:
- a. Maintain the property in good condition.
 - b. Keep adequate property records. All records must be retained for five years after final disposition of property.
 - c. Ensure that the property is covered by the City's insurance in case of loss or damage.
 - d. The property must be available for public use. In the event that the property is no longer open to the public, Engineering Department will contact the Housing Division to determine if repayment of any CDBG funds is required.

10. **Contacts.** The primary contact for the Development Services Department will be the Director or his designee, primary contact for the Engineering Department will be the City Engineer or his designee, and the primary contact for the Housing Division will be the Housing Program Supervisor.

11. **Amendments.** Amendments to this Agreement will only be made with mutual written agreement from participating parties.

City of Merced Housing Division:

By: 
Mark Hamilton
Housing Program Supervisor

Date: 2/27/2017

City of Merced Engineering Department:

By: 
Theron Roschen, PE
City Engineer

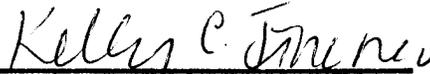
Date: 2/27/2017

City of Development Services Department:

By: _____
Steve Carrigan
Interim Director of Development Services

Date: _____

APPROVED AS TO FORM:


KELLY C. FINCHER
Chief Deputy City Attorney