

CDM Smith  
Contract  
CDBG-DR  
Allocation!

**AMENDMENT NO: 3  
TO AGREEMENT  
BETWEEN  
CITY OF MINOT AND PROGRAM ADMINISTRATOR**

This Amendment No: 3 is made and entered into this 13th day of January, 2014 to the Agreement between CDM Smith Inc. (CDM Smith) ("Program Administrator") and City of Minot ("OWNER") dated May 7, 2012, ("the Agreement").

WHEREAS, PROGRAM ADMINISTRATOR and OWNER entered into the Agreement for Community Development Block Grant Disaster Recovery Management Services, and

WHEREAS, the parties desire to amend the Agreement so as to amend the scope of work, time periods of performance and payment, and/or responsibilities of OWNER; and

WHEREAS, the Agreement provides that any amendments shall be valid only when expressed in writing and signed by the parties.

NOW THEREFORE, in consideration of the mutual understandings and Agreements contained herein, the parties agree to amend the Agreement as follows:

1. The Basic Services of PROGRAM ADMINISTRATOR as described in the Agreement are amended and supplemented as follows:

Development and implementation of a Small Rental Rehabilitation and Reconstruction Program. Refer to scope of services provided in Attachment #1 to this amendment.

2. The responsibilities of OWNER as described in the Agreement are amended and supplemented as follows:

Responsibilities of the OWNER are as outlined in the original contract or as modified in Attachment #1 to this amendment.

3. The time periods for the performance of PROGRAM ADMINISTRATOR's services as set forth in the Agreement are amended and supplemented as follows:

The contract end date is extended from May 7, 2014 to December 31, 2014

4. The payment for services rendered by PROGRAM ADMINISTRATOR shall be as set forth below:

The current contract amount is \$6,222,036 and is hereby increased by \$823,025 to a new not to exceed contract upper limit of \$7,045,061 as summarized in Attachment #2 to this amendment.

5. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect.


IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date indicated above for the purpose herein expressed.

  
\_\_\_\_\_  
Program Administrator

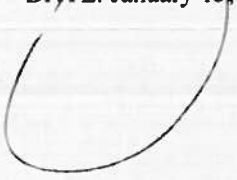
Steven L. Wolsfeld

Associate

DATE: January 13, 2014



City of Minot  
Curt Zimbelman  
Mayor  
DATE: January 13, 2014



## **City of Minot, ND**

### **Community Development Block Grant Disaster Recovery Management Services**

#### **Amendment No. 3 - Attachment No.1**

#### **Scope of Services**

**CDM Smith**

**January 13, 2014**

The work tasks included under Amendment No. 3 include:

- City of Minot: Small Rental Rehabilitation and Reconstruction Program(SRRR)

The City of Minot Disaster Recovery-Small Rental Rehabilitation and Reconstruction (Minot-SRRR) will address unmet needs for the restoration of affordable rental housing within the legal jurisdiction of Minot, North Dakota. This program is to assist rental property owners of one to four-unit properties who received significant damage from the flooding that occurred during June 2011. The program is offered by the City of Minot and will provide forgivable loans to affected rental property owners to repair damages caused by the flood and when necessary, to reconstruct properties. In exchange for the full forgiveness of the loan, property owners will lease their properties to eligible low to moderate income households at affordable rates for the requisite period. This program will also assist owner occupants of one to four-unit rental properties to repair or reconstruct their properties.

#### **Task 1: Project Management & Administrative Services**

CDM Smith will provide project management and administrative services to service the program. Services include:

- Project Management processes and tools for organizing and managing the SRRR program.
- Establishment of SRRR program charters, timelines, goals, metrics and deliverables.
- SRRR Program document control and management.
- SRRR Program development and support.
- SRRR Program policy development and review.
- Support of SRRR program and financial compliance requirements.
- Support on SRRR program communication strategy.
- Support of SRRR program monitoring plans and execution.
- Support of SRRR program operations as required.

## **Task 2: SRRR Program Development (including program policies and procedures)**

Task 2.1: Design and plan the program in coordination with City of Minot's Finance Director and implement approved CDBG-DR components, and oversee management, compliance, and reporting of program activities including Small Rental Rehabilitation and Reconstruction Program.

Task 2.2: Develop for Minot's approval, program policies and procedures, application guidelines for grant awards including eligibility criteria, selection criteria, submission instructions, performance measures, and any other requirements necessary to allocate the CDBG-DR funds.

Task 2.3: Develop and initiate outreach and public education campaign within 30 days of program start-up following Action Plan Amendment No. 6 approval.

## **Task 3: SRRR Contract Bid Document Development and Contractor Procurement**

Coordinate and assist the City with developing SRRR program Request for Proposals (RFPs) and Request for Qualifications (RFQs) for construction contractors and associated engineering ensuring that all HUD required CDBG clauses and requirements are incorporated.

Based on best practices, below is the method of procurement that the CDM Smith team is proposing.

- Rental properties to be reconstructed will have pre-procured plan designs placed into the bid documents.
- Properties to be rehabilitated will have damage assessments completed and a scope of work will be put into bid packages.
- Pre-qualification procurement of construction contractors is suggested.
- Pre-qualify contractors through an RFQ process for both reconstruction and rehabilitation. Only pre-qualified contractors will be awarded construction contracts.
- For new construction, issue an RFP for pricing of pre-designed plans, choosing contractors whose bids come in within 15 percent above and below of the estimated costs.

- Pre-qualified contractors will be assigned a limited number of homes for reconstruction (i.e., no more than 10); a contractor will not be allowed to receive a second package of homes until at least 90 percent of the first package is complete and has been completed satisfactorily.
- Properties requiring rehabilitation will be bid by scope of work in small packages of five to ten properties to pre-qualified contractors.

#### **Task 4: SRRR Program Intake and Case Management**

Review SRRR applications for applicant eligibility and make award recommendations based on program requirements and HUD eligible activity and National Objective criteria.

##### **Task 4.1: Application Intake through Eligibility Determination**

- The CDM Smith Disaster Recovery Center will staff a full time receptionist to answer calls, schedule applicants, and upload documents into applicant electronic files.
- Two onsite case managers will be required to meet with applicants and obtain documentation needed to determine income, eligibility, and duplication of benefits.
- Case managers are assigned to homeowners and work alongside homeowners from application submittal until they move back into their homes.
- The case manager will be the face of the program to the homeowner and be available to answer any specific homeowner questions.
- An offsite Applicant Intake Specialist will review completeness of documentation, calculate income, duplication of benefits, eligibility, and grant awards.

##### **Task 4.2: Information Management**

- Each applicant will be assigned a unique applicant ID which will remain with them from intake to file closeout.
- An electronic applicant journal will be created that will track when documents are received; who is in possession of documents being reviewed; and what remaining documents are needed from homeowners.
- Eligible applicants will continue to be tracked through all remaining processes including environmental review, damage inspections, bidding, contract signing, construction phases, and closeout.

- The system can be web-based with access to multiple users.
- CDM Smith will utilize the HDS Information Management System to track progress and reporting of the program.

#### Task 4.3: Applicant Awards

- Applicants will receive a grant/loan award based on type of housing assistance (rehabilitation or reconstruction) minus DOB that must be taken into consideration.
- Award documents will be prepared by the program and executed either in the Housing Assistance Center or with a title company depending on whether homeowners will be escrowing funds.
- All applicants will meet in person with their case manager to review rental rehabilitation/ reconstruction plans and answer questions before the project goes out for bid.
- Once bids are received, the homeowner will meet with their case manager to sign all required documentation, meet with their contractor, and ask any additional questions.

#### **Task 5.0: SRRR Program Environmental Reviews and Clearances**

Complete all required environmental reviews in compliance with HUD requirements.

CDM Smith will assist the City in determining the appropriate level of environmental review for their projects and conducting the appropriate review necessary to comply with HUD and NEPA environmental review requirements. Defining a complete and clear project description is the first step in the environmental review process. The project description will provide location specific information and geographic boundaries, as well as a delineation of all activities included in the project scope.

To streamline the environmental review process, we will develop policies and procedures as early as practicable to maximize utilization of site and project environmental tiering. Those projects identified as possessing similar environmental characteristics and categorical assignment could be bundled into packages for the environmental review record (ERR). The tiering process will be utilized for the rental repair and reconstruction program(SRRR). These processes will allow the projects move efficiently and expeditiously through the HUD environmental review process.

## **Task 6.0: SRRR Program Construction Management and Inspection**

Coordinate with the City to provide all preconstruction conferences and construction management and inspection oversight.

### **Task 6.1: Construction Management**

CDM Smith will inspect each rental unit onsite at least once per week. This way it can be verified that required materials are being used and that code and general construction practices (along with lead-based-paint regulations) are being met. The following is a general outline of the construction management process:

- Contractors' performance will be tracked.
- Contractors will be limited to number of properties based on performance and number of homes completed.
- The program will provide staff to monitor homes while under construction. Construction will be reviewed at least once per week during construction activity.
- The program will verify pay point inspections.

Minot or the CDM Smith team can inspect for code compliance. For this proposal it is assumed that the City of Minot will use their code department for certification of code compliance.

### **Task 6.2: Payment and Closeout**

- Contractors can submit for payment reimbursement after meeting the requirements associated with pre-determined pay point inspections.
- New properties must meet all local, state, and federal housing codes.
- Rehabilitation projects must meet Minimum Property Standards and all local health and safety codes.
- All documentation will be reviewed to assure that insurance requirements have been met and the file is complete.
- Upon passing final inspections, contractors will receive final payment (10 percent retainer is held until all final paperwork is completed).
- All applicant files will be closed out after final payment to contractors.

