

NOTICE OF REGULAR BOARD MEETING OF THE GUAM HOUSING AND URBAN RENEWAL AUTHORITY

The Guam Housing and Urban Renewal Authority ("GHURA") will hold its Regular Meeting of the GHURA Board of Commissioners on Friday, August 27, 2021 at 12:00 PM. This meeting is open to the public via Zoom.

Join Zoom Meeting

<https://us06web.zoom.us/j/88104845096?pwd=ZEpwYS9aZ0JQVXVtZlFXbGNld2c4QT09>

Meeting ID: 881 0484 5096

Passcode: 732848

The agenda may be viewed on our website at www.ghura.org.

For more information, please contact Audrey Aguon at 475-1378 and for special accommodations, please contact Katherine Taitano at 475-1322 or TTY 472-3701.



**BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING
12:00 P.M., August 27, 2021
GHURA's Main Office (via Zoom)
1st floor, Conference Room, Sinajana
AGENDA**

I. ROLL CALL

II. BOARD MEETING PUBLIC ANNOUNCEMENTS

1st Printing –Friday, August 20, 2021

2nd Printing – Wednesday, August 25, 2021

III. APPROVAL OF PREVIOUS BOARD MINUTES – August 13, 2021

PAGE (S)

IV. NEW BUSINESS

- | | |
|--|-----------------------|
| <p>1. Intent of Award</p> <p>Renovation of (9) Nine Public Housing Units; IFB#GHURA-07-15-2021-AMPS 1 & 4</p> | <p>1 - 4</p> |
| <p>2. Resolution No. FY2021-020</p> <p>A resolution to approve the adoption of policy guidelines relative to the administration of the CDBG and HOME Program, Lead-Based Paint Management for the ESG and CoC Programs, and the Citizen Participation Process Requirements for HUD CPD Grants administered by GHURA</p> | <p>5 - 66</p> |
| <p>3. Resolution No. FY2021-021</p> <p>Resolution approving the Fiscal Year 2022 Operating Budgets for Public Housing Asset Management Projects (AMP) GQ001000001, GQ001000002, GQ001000003 and GQ001000004</p> | <p>67 - 71</p> |

V. GENERAL DISCUSSION / ANNOUNCEMENTS

1. Next proposed scheduled Board Meeting: Friday, September 10th
@ 12:00 p.m.

VI. ADJOURNMENT

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RENTALS
GOOD: 3 Lines, 3 Consecutive Days.....\$78.00
BETTER: 3 Lines, 7 Consecutive Days.....\$99.00
BEST: 3 Lines, 10 Consecutive Days.....\$115.00

ROOMMATES
Conditions/Restrictions: *Roommate a person who shares a room or apartment with another or others.
GOOD: 3 Lines, 7 Consecutive Days.....\$57.00
BETTER: 3 Lines, 10 Consecutive Days.....\$73.00

AUTOMOTIVE PACKAGES
 • Automotive • Trucks • Bikes • Boats • Motorcycles
Conditions/Restrictions: One vehicle per ad
Ad format: Make, Model, Year.
GOOD: 3 Lines, 7 Consecutive Days.....\$58.00
BETTER: 3 Lines, 10 Consecutive Days.....\$68.50
BEST: 4 Lines, 14 Consecutive Days.....\$79.00

SUPER DEALS
Personal Items below \$500 in total value
GOOD: 3 Lines, 7 Consecutive Days.....\$24.50
BETTER: 3 Lines, 10 Consecutive Days.....\$33.00
BEST: 3 Lines, 14 Consecutive Days.....\$40.00
 *Price must be included in the ad to qualify.

PRIVATE PARTY PLEASERS
Personal Items below \$2,500 in total value
GOOD: 3 Lines, 7 Consecutive Days.....\$33.00
BETTER: 3 Lines, 10 Consecutive Days.....\$43.50
BEST: 3 Lines, 14 Consecutive Days.....\$54.00
 *Price must be included in the ad to qualify.

Personal Items below \$2,501 in total value
GOOD: 3 Lines, 7 Consecutive Days.....\$59.00
BETTER: 3 Lines, 10 Consecutive Days.....\$70.00
BEST: 3 Lines, 14 Consecutive Days.....\$80.00
 *Price must be included in the ad to qualify.

GARAGE SALE
 • Fundraising • Rummage • Yard Sale
Conditions/Restrictions: 3 Consecutive Days
Ad format: Village, Date, Time
Garage Sale: Private residence
Rummage: School or Non-profit organization
GOOD: 3 Lines, 3 Consecutive Days.....\$24.50
BETTER: 3 Lines, 7 Consecutive Days.....\$33.00

PETS
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BETTER: 3 Lines, 10 Consecutive Days.....\$33.00
BEST: 3 Lines, 14 Days.....\$40.00

EFFECTIVE 12/28/15
 All classified ads are subject to the applicable rate card, copies of which are available from our Advertising Dept. All ads are subject to approval before publication. The Pacific Daily News/Pacific Sunday News reserves the right to edit, refuse, reject, classify or cancel any ad at any time. Errors must be reported in the first day of publication. The Pacific Daily News/Pacific Sunday News shall not be liable for any loss or expense that results from an error in or omission of an advertisement. No refunds for early cancellation of order.

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Tam. 3BD/1BA, Mang. 2BD/1BA/ Barr. 4BD/2BA, Ded. 3BD/1BA (Sec 8 OK) Pls. call Ruth 998-2496/637-6575

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 BOLT ACTION 243 Cal Ruger with Scope, Ammo & ***SOLD**SOLD**SOLD***
 USED Aluminum Shutters, w/Rails, 8 Windows 4x4, 2 Windows 3x3, 2 Doors ***SOLD**SOLD**SOLD***

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The agenda may be viewed on our website at www.ghura.org.

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Help Wanted Full Time

Del Driver/ Serv. Tech- AB
 Lic./ Med. Cert. Pacific LP
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Wanted to Buy

Are you in Financial Trouble?
 Need FAST CASH? I buy on/off island houses, lot, condos. I take over payments. Up to 200k. 649-4663

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HAGATNA RESTORATION AND REDEVELOPMENT AUTHORITY
 The Hagatna Restoration & Redevelopment Authority (HARRA) Board of Commissioners will convene a regular board meeting on Wednesday, September 1, 2021 at 4:00pm through Zoom Virtual Meeting. Please call Joseph Meno, Administrative Officer for Zoom Link Information @ (671) 922-2525 or email joseph.meno@hrra.guam.gov

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Sesteman Laibirihan Pubblekon Guahan
GUAM PUBLIC LIBRARY SYSTEM
 Government of Guam
Guam Public Library System (GPLS)
Regular Board Meeting of the Board of Directors
Wednesday, September 01, 2021 at 4:00 pm
 Meeting will be held at the GPLS Hagatna Library, 1st Floor Study Room, or via Zoom.
AGENDA: Call to Order, Roll Call, Approval of Minutes, Chairman's Report, Director's Report, Old Business, New Business, Open Discussion, Adjournment
 Please call June Aflague at 475-4755/54 for ID and passcode, and those with disabilities requiring special accommodations, auxiliary aid or services.

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**BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING**

12:00 P.M. August 27, 2021

GHURA's Main Office (via Zoom Video Conference)

1st floor, Conference Room, Sinajana

BOC MEETING MINUTES

I. CALL TO ORDER / ROLL CALL

After notice was duly given, pursuant to the Open Government Law of Guam and the Bylaws of the Authority, the Board of Commissioners' regularly scheduled board meeting was called to order at **12:00 P.M., Friday, August 27, 2021** at the GHURA Sinajana Main Office, 1st floor Conference room, by Chairman Flores. He indicated that 4 members of the Board of Commissioners were present, representing a quorum and that the meeting would proceed as scheduled.

PRESENT: (VIA ZOOM VIDEO CONFERENCE)

Sabino Flores, **Chairman**
Frank Ishizaki, **Commissioner**
Anisia Delia, **Commissioner**
Karl E. Corpus

ABSENT:

Monica Guzman, **Vice Chairwoman**
George Pereda, **Commissioner**

LEGAL COUNSEL:

Anthony Perez, Esq.

MANAGEMENT & STAFF:

Ray Topasna, **Executive Director**
Elizabeth Napoli, **Deputy Director**
Audrey Aguon, **Special Assistant**
Kimberly Bersamin, **HR Administrator**
Katherine Taitano, **CPD/RP&E Manager**
Lucele Leon Guerrero, **CONTROLLER**

PUBLIC: (VIA ZOOM VIDEO CONFERENCE)

Jesse Wu, HUD
Mark Chandler, HUD
Rebecca Borja, HUD

II. BOARD MEETING PUBLIC ANNOUNCEMENTS

1ST Printing- Friday, August 20, 2021

2nd Printing- Wednesday, August 25, 2021

ACKNOWLEDGED dates of public announcement in the Guam PDN.

III. APPROVAL OF PREVIOUS BOARD MINUTES

[109/21] Chairman Flores motioned to approve the meeting minutes of August 13, 2021 as corrected. The motion was seconded by Commissioner Delia. With no objections by the other board members, the motion was approved.

IV. NEW BUSINESS

1. [110/21] Intent of Award - Renovation of (9) Public Housing Units; IFB#GHURA-07-15-AMPS 1 & 4. (Chairman Flores announced IFB#GHURA-07-17-AMPS 1 & 4)

DISCUSSION -

Director Topasna stated the following:

- (4) Contractors purchased Bid Specification Packets
- (3) contractors submitted bids: Genesis Tech Corp., OH Construction, Asia Pacific International
- This IFB is separated into 2 bids:
 1. **Base Bid Item #1-** to renovate (5) units in AMP1; (3) in Mongmong, (1) Sinajana, (1) Asan
 2. **Base Bid Item #2-** to renovate (4) units in AMP 4; (3) in Toto Gardens, (1) in Dededo.
- Modernizations include: upgrade of kitchens and bathrooms, scraping and re-painting, upgrade of the electrical system, and removal and re-tiling of the floors.
- GHURA staff has determined that OH Construction provided the lowest responsive and responsible bid for Base Bid #1 at \$156,400.00 and Base Bid #2 at \$118,600.00.
- Based on the staff's review and determination, GHURA is requesting that the board approve the issuance of the contract to OH Construction for both Base Bid Items in the amount of \$275,000.

There were no questions or discussions by the board members.

[111/21] ACTION - Commissioner Delia motioned to approve the award for OH Construction, IFB#GHURA-07-15-2021-AMPs 1&4, in the amount of \$275,000. The motion was seconded by Commissioner Ishizaki. There were no objections by the other board members. The motion was passed.

2. [112/21] Resolution No. FY2021-020 - A Resolution to approve the adoption of policy guidelines relative to the administration of the CDBG and HOME Programs, Lead-Based Paint Management for the ESG and CoC Programs, and the Citizen Participation Process Requirements for HUD CPD Grants administered by GHURA.

DISCUSSION -

Director Topasna stated the following:

- Review of internal policies addresses elements of GHURA's grant management practices.
- The CDBG and HOME Administrative manual was updated to included revisions for the use of non-competitive processes in support of efforts to complete current and previously awarded projects.
- GHURA formalized the management of Lead-based paint processes as they apply to the authority and subrecipients and subgrantees of both ESG and CoC funds.
- GHURA also revised and restated its Citizen Participation Plan to address COVID pandemic protocol waivers for public notice for purposes of public health and safety.
- Director Topasna requested that the board approve the adoption of policy guidelines relative to the administration of the CDBG and HOME Administrative Manual, the GHURA Lead-based Paint policy for ESG and CoC programs and the amended and restated Citizen Participation Plan.

Ms. Kathy Taitano stated that her team had been consulting with HUD to refine its processes, formalize them and to introduce them as part of the policies. She added that they would try to address these on a regular basis so that her team may incorporate things that come up in the period between updates. The monitoring and guidance provided have been beneficial.

Chairman Flores identified an area on pg. 18 of 71, under Contracts/MOU, that referenced Guam's Legal Counsel and inquired whether it referred to the Attorney General. Ms. Taitano confirmed this and added that certain contracts above a particular dollar figure must be reviewed and approved by the AG's office and is the process that they often refer to.

Mr. Tony Perez added that on behalf of GHURA, he reviews all the CDBG agreements and similar agreements. However, depending on who the agreements are with such as interagency agreements, those will also be reviewed by the AG's office. Mr. Perez also stated that for procurements over \$500,000, he reviews them as the Special Assistant Attorney General. He referred to Chairman Flores's earlier question regarding pg. 18 of 71 which referenced Guam's Legal Counsel and stated that primarily he would be the one to review contracts on behalf of GHURA.

Ms. Taitano added that Guam is the grantee of these funds. References to GHURA are mostly administrative, but Guam is the grantee and that is how GHURA/CDBG recognizes itself.

Commissioner Ishizaki inquired about whether Mr. Perez was the Special Assistant Attorney General on all GHURA matters. Mr. Perez stated that the only instance that he acts as Special Assistant Attorney General is for procurements over \$500,000. He added that the Government of Guam is the recipient of CDBG funds, but there has been a delegation for GHURA to administer the grants. Director Topasna added that there are autonomous agencies that do not have a designated Special Attorney General in place so any contracts above \$500,000 must be forwarded to the AG's office for review.

Chairman Flores inquired about whether any contracts require the Governor's signature. Ms. Taitano stated that the Section 108 required the Governor's signature, however, many other aspects require the Governor's signature. After GHURA does its part to execute the Environmental reviews for CDBG, ESG, and HOME all must go directly through the Governor for signature. For most of the contracts, especially those involving other government agencies, the Governor has to be the final signature.

[113/21] ACTION - Commissioner Ishizaki motioned to approve Resolution No. FY2021-020-the adoption of policy guidelines relative to the administration of the CDBG and HOME Programs, Lead-Based Paint Management for the ESG and CoC Programs, and the Citizen Participation Process Requirements for HUD CPD Grants administered by GHURA. Commissioner Delia seconded the motion. There were no objections by the other board members. The motion was passed.

3. [114/21] Resolution No. FY2021-021 – A Resolution approving the FISCAL Year 2022 Operating Budgets for Public Housing Asset Management Projects (AMP) GQ001000001, GQ001000002, GQ001000003, GQ001000004.

DISCUSSION -

Director Topasna deferred to Mrs. Lucele Leon Guerrero, GHURA Controller to discuss the following:

- The Operating Budgets presented before the board are for AMPs 1, 2, 3, and 4.
- The budget for FY2021 was approved at \$5,642,741.00
- The increase being requested is \$2,388,711.00 or 42.3%
- The operating subsidy is calculated using a 95% Occupancy rate and CY2021 Operating Funds Subsidy estimate.
- GHURA is requesting to use 22% or about \$2.4M of the AMP Reserves, which is at \$10.9M
- Listed on pg. 69 of 71 of the Revenue side, Budget line item 109 Year End Cash Balance.
- Majority of the reasons for the increase were as follows:
 1. Personnel Costs- health insurance increase
 2. Utilities-increase in power and water
 3. Equipment- Vehicles, maintenance tools, and appliance purchases.

4. Capital outlays/Projects- these weren't budgeted for last year so some AMPs are budgeting for projects for this Fiscal year.

- For FY2022, GHURA is requesting a total budget of \$8,031,452.00.

Chairman Flores asked that Mrs. Leon Guerrero explain the item indicated as Off-Island Travel. She stated that the previous year did not include off-island travels due to the pandemic. For this year, Off-Island travel is being budgeted for in the event travel is allowed for trainings. Only (1) AMP requested for an Off-Island Travel budget. Director Topasna added that although travel is restricted, the budget is in place for emergency purposes. He added that it's been his and the Deputy Director's mission to spend down on some of the

reserves on things that are necessary for the AMPs to operate more efficiently. He stated that it has been their mission and they will continue to do the same in subsequent Fiscal Years. Mrs. Leon Guerrero added that the reserves are way above the (6) month operating reserve balance and that even after using 22% of the reserves, there will still be about 78% left in the reserves.

Commissioner Ishizaki inquired about where to locate the reserve number. Mrs. Leon Guerrero indicated that the reserve number is located on the Financial Data Schedule Worksheet (FDS). Commissioner Ishizaki requested that a copy of the FDS be emailed to the board. Mrs. Leon Guerrero stated that she would email the copy to the board. He also inquired about whether vehicle purchase was categorized under Equipment. Mrs. Leon Guerrero confirmed this.

There were no further discussions.

[115/21] ACTION - Commissioner Delia motioned to approve the FISCAL Year 2022 Operating Budgets for Public Housing Asset Management Projects (AMP) AMPs 1,2,3, and 4. Chairman Flores seconded the motion. There were no objections by the other board members. The motion passed.

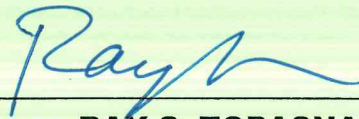
V. General Discussions/Announcements:

1. Ms. Katherine Taitano indicated that she had planned to prepare a LIHTC briefing for the September BOC meeting, but stated that she would present at the next scheduled BOC meeting. Ms. Taitano added that one of the Capital Fund projects requires a small change order which will add \$2,500.00 to one of the units in Asan. The contractor has discovered a water leak. She stated that she wanted to keep the board aware.
2. Commissioner Ishizaki commended Ms. Taitano and the GHURA team for doing a great job.
3. **[116/21] Next PROPOSED Scheduled Board meeting: FRIDAY, SEPTEMBER 10, 2021 @12pm**
 - Confirmed for next scheduled BOC meeting were: Commissioners Ishizaki and Corpus
 - Unable to attend: Commissioner Delia
 - Not confirmed: Vice Chairwoman Guzman and Commissioner Pereda

VI. ADJOURNMENT

[117/21] With no further discussions, Commissioner Delia motioned to adjourn the meeting. Chairman Flores seconded the motion. There were no objections by the other board members. The motion passed and meeting was adjourned at 12:34PM.

SEAL



RAY S. TOPASNA

Board Secretary / Executive Director

**GUAM HOUSING AND URBAN RENEWAL AUTHORITY
ATURIDAT GINIMA YAN RINUEBAN SIUDAT**

MEMORANDUM:

TO: Board of Commissioners

FROM: Executive Director, Ray S. Topasna 

DATE: August 23, 2021

SUBJECT: Intent of Award, Renovation of (9) Nine Public Housing Unit's;
IFB #GHURA-07-15-2021-AMPs 1 & 4

Bid opening for the subject project was held on August 12, 2021 at 2:00pm. There was a total of 4 contractors that purchase a set of bid specification of which 3 submitted a bid. Listed below are the results of the bids submitted, which were open and read out aloud.

| No: | Contractor: | Bid Bond | Base Bid No. 1 | Base Bid No. 2 |
|-----|--------------------|----------|----------------|----------------|
| 1 | Genesis Tech Corp. | [x] 5% | \$180,850.00 | \$122,350.00 |
| 2 | O.H. Construction | [x] 5% | \$156,400.00 | \$118,600.00 |
| 3 | Asia-Pacific Int'l | [x] 5% | \$212,918.00 | \$142,830.00 |

| | | |
|----------------------------|---------------------|---------------------|
| Government Estimate | \$141,226.67 | \$114,746.66 |
|----------------------------|---------------------|---------------------|

Base Bid Item #1 is to renovate a total of 5 units; 3 in Mongmong 1 in Sinajana and 1 in Asan at AMP 1. Base Bid Item #2 is to renovate the total of 4 units; 3 in Toto Gardens and 1 in Dededo at AMP 4. Modernization of these units include the upgrade of kitchens and bathrooms, scraping and repainting of the interior, rewiring and up-grade of the electrical system, removal and retiling of units which are all original tiles. A detailed scope of work is included in the bid documents for review.

In the review of the bid results: O.H. Construction provided the lowest responsive and responsible bid for Base Bid Item #1 and #2. A request was submitted by O.H. Construction to reduce the bid bond requirement from 15 percent to 5 percent. Upon AE Manager's review request was granted. O.H. Construction was issued clearances with Department of Labor compliance, OSHA and EPLS Debarred list (see attached verification).

Based on our staff's review and determination, we are requesting approval to issue contracts to: O.H. Construction for Base Bid 1 and 2 in the amount of \$ 275,000.00. Funding is available under CAP Funds.

Prepared: 
SPerez, A/B

Reviewed: 
GBalmeo, Procurement

Attachment: Bid Tabulation
Clearance
Gov cost estimate

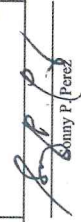
At the Regular Board Meeting of August 27, 2021, a motion was made by Commissioner Delia and seconded by Commissioner Ishizaki to approve the Intent of Award to O.H. Construction for IFB#GHURA-07-15-2021-AMPs 1 & 4 for the Renovation of (9) Nine Public Housing Units for Base Bid 1 and 2 in the amount of \$275,000.00. Without any further discussion and objection, the motion was approved.

GUAM HOUSING AND URBAN RENEWAL AUTHORITY
ATURIDAT GINIMA'YAN RINUEBAN SIUDAT GUAHAN
Verification of Status for Contractors

To: File
 From: Architect & Engineering Manager
 Subject: Renovation of (09) Nine Public Housing Units at AMPs 1 & 4

In Order to ensure that the contractor awarded does not have any outstanding claims against them, we requested that the listed government Agencies provide us with a current standing or any information which may be pertinent to the above contract. The following outlines the contractor's standings with the listed agencies.

| Company Name | Genesis-Tech Corporation | O.H. Construction | Asia-Pacific International | | |
|--|--|-------------------|----------------------------|--|--|
| Department of Labor: ALPCD Fair Employment Practice Wage & Hour Workers Compensation | 8/17/2021 | 8/17/2021 | 8/17/2021 | | |
| | 8/16/2021 | 8/16/2021 | 8/16/2021 | | |
| | 8/17/2021 | 8/17/2021 | 8/17/2021 | | |
| | Exp. 06/30/2022 | Exp. 06/08/2022 | Exp. 10/3/2021 | | |
| Guam Contractors License Board | Contractor to obtain clearance from Guam Contractors License Board | | | | |
| U.S. Department of Labor | 8/17/2021 | 8/17/2021 | 8/17/2021 | | |
| Revenue & Tax EIN/SSN | Contractor to report to Revenue and Tax Office | | | | |
| OSHA | 8/17/2021 | 8/17/2021 | 8/17/2021 | | |
| SAM Debarred List | 8/19/2021 | 8/19/2021 | 8/19/2021 | | |


 Sonny P. Perez



GHURA-07-15-2021-AMPs1 & 4
Renovation of Nine (09) Public Housing Units at Various AMP.s
Proposal due date: August 12, 2021
Proposal due time: 2:00 P.M.

[illegible]

ATTESTED BY: Christina 8/12/2021

Explant Label _____ Date: 08/12/2021

_____ Date: _____

COST ESTIMATE

8

| | | |
|---------------------------------|---------------------------|--------------|
| 3 Bedroom unit, Toto 8A Paquito | CONSTRUCTION CONTRACT NO. | SHEET 1 OF 1 |
| PROJECT TITLE:reno-3bdrm, | IDENTIFICATION NO. | 08.02.21 |

COST ESTIMATE

| | | |
|-----------------------------|---------------------------|--------------|
| ACTIVITY AND LOCATION: Toto | CONSTRUCTION CONTRACT NO. | SHEET 1 OF 1 |
|-----------------------------|---------------------------|--------------|

| ITEM DESCRIPTION | NUMBER | UNIT | UNIT COST | TOTAL |
|--------------------------------|--------|------|-------------|--------------|
| Termite treament | 1000 | sf | \$0.45 | \$ 450.00 |
| Painting | 4800 | sf | \$ 1.75 | \$ 3,500.00 |
| exterior doors | 2 | ea | \$ 2,200.00 | \$ 4,400.00 |
| interior doors | 4 | ea | \$ 700.00 | \$ 2,800.00 |
| screen door (repair) | 2 | ea | \$ 55.00 | \$ 110.00 |
| Kitchen up-grade | 1 | ea | \$ 4,500.00 | \$ 4,500.00 |
| remove old tiles & dispose | 1000 | sf | \$ 0.61 | \$ 610.00 |
| install vinyl floor tiles | 1000 | sf | \$ 2.75 | \$ 2,750.00 |
| Up-grade electrical panel box | 1 | LS | \$ 4,500.00 | \$4,500.00 |
| bathroom up-grade | 1 | ls | \$ 800.00 | \$800.00 |
| lighting fixtures | 4 | ea | \$ 125.00 | \$ 500.00 |
| outlet/switch cover | 20 | ea | \$ 5.00 | \$ 100.00 |
| smoke detector | 5 | ea | \$ 119.00 | \$ 595.00 |
| replace light switch & outlets | 20 | ea | \$ 15.75 | \$ 315.00 |
| General cleaning-in & out | 1 | LS | \$ 550.00 | \$ 550.00 |
| total | | | | \$ 26,480.00 |

(3BEDRM.)

| | | |
|-------------------|-------------------------|-----------------------|
| Base Bid 1 | Base Bid 2 | \$ 8,826.67 PER BEDRM |
| 3bedrm (3) | \$ 79,440.00 3bedrm (3) | 79440 |
| 2bedrm (1) | 17653.33333 4bedrm (1) | 35306.66667 |
| 5bedrm (1) | 44133.33333 | |
| toatl base bid #1 | toatl base bid #2 | |
| \$ 141,226.67 | 114746.6667 | |

GUAM HOUSING AND URBAN RENEWAL AUTHORITY
Aturidat Ginima' Yan Rinueban Siudat Guahan
BOARD OF COMMISSIONERS

RESOLUTION NO. FY2021-020

Moved By: FRANK T. ISHIZAKI

Seconded By: ANISIA S. DELIA

A RESOLUTION TO APPROVE THE ADOPTION OF POLICY GUIDELINES RELATIVE TO THE ADMINISTRATION OF THE CDBG AND HOME PROGRAM, LEAD-BASED PAINT MANAGEMENT FOR THE ESG AND COC PROGRAMS, AND THE CITIZEN PARTICIPATION PROCESS REQUIREMENTS FOR HUD CPD GRANTS ADMINISTERED BY GHURA.

WHEREAS, The Board of Commissioners of the Guam Housing and Urban Renewal Authority (GHURA) is empowered by 12 Guam Code Annotated, Section 5104(5) to adopt rules and regulations providing for the internal organization and management of the Authority; and

WHEREAS, GHURA is responsible for the daily administration of entitlement and competitive funds allocated and awarded to the Government of Guam for programs overseen by the U.S. Department of Housing and Urban Development's (HUD's) Office of Community Planning and Development (CPD), for the Community Development Block Grant (CDBG) Program, the HOME Investment Partnerships Grant (HOME) Program, the Emergency Solutions Grant (ESG) Program, the Continuum of Care (CoC) Program; and

WHEREAS, 24 CFR Part 570 governs projects assisted with CDBG funds, 24 CFR Part 92 governs projects assisted with HOME funds, 24 CFR Part 576 governs projects assisted with ESG funds, 24 CFR Part 578 governs project assisted with COC funds, and 24 CFR Part 901 outlines the Consolidated Submissions for CPD Programs; and

WHEREAS, GHURA must from time-to-time review its internal policies addressing elements of its grants management practices; and

WHEREAS, GHURA has updated the CDBG and HOME Administrative Manual to include revisions for the use of non-competitive processes in support of efforts to complete current and previously-awarded projects and activities; and

WHEREAS, GHURA has formalized its management of Lead-Based Paint processes as they will apply to the Authority and its subrecipients and subgrantees of ESG and COC funds; and

WHEREAS, GHURA has revised and restated its Citizen Participation Plan to address Covid pandemic protocol waivers for public notice for purposes of public health and safety; now therefore be it

RESOLVED, The GHURA Board of Commissioners approves the adoption of the CDBG and HOME Administrative Manual, the GHURA Lead-Based Paint Policy for the ESG and COC Programs, and the Amended and Restated Citizen Participation Plan in support of the practices of sound program administration.

**IN A SCHEDULED BOARD MEETING, SINAJANA, GUAM - AUGUST 27, 2021
PASSED BY THE FOLLOWING VOTES:**

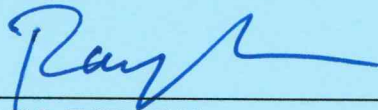
AYES: Sabino Flores, Frank Ishizaki, Anisia Delia, Karl Corpus

NAYS: NONE

ABSENT: Monica Guzman, George Pereda

ABSTAINED: NONE

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted by the Guam Housing and Urban Renewal Authority Board of Commissioners on **August 27, 2021.**



RAY S. TOPASNA

Board Secretary / Executive Director



ADMINISTRATIVE MANUAL

Community Development Block Grant (CDBG)
Home Investment Partnerships Program (HOME)

A program of the
Guam Housing and Urban Renewal Authority

Revised 9/25/17 ve

Revised 09/20/2021 kt

Guam Housing and Urban Development Authority

Aturidat Ginima' Yan Rinueban Siudat Guahan

Physical Address:

117 Bien Venida St.

Sinajana, Guam 96910

Phone: (671) 477-9851

Fax: (671) 300-7565

www.ghura.org

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INTRODUCTION

This Administrative Manual establishes a framework for guiding the operation of Guam Housing and Urban Renewal Authority's (GHURA) Community Development Block Grant (CDBG) and the HOME Investment Partnerships (HOME) programs. It provides an approach for making decisions and ensuring that Guam's programs are operated in a fair and consistent manner. Finally, the Administrative Manual provides information for program sub-recipients in the management of their projects and how to achieve and maintain compliance with federal and local requirements. This information complements Guam's Consolidated Plan, which identifies community needs and objectives and describes the structure and process for the administration of the CDBG and HOME programs.

COMMUNITY DEVELOPMENT BLOCK GRANT - OVERVIEW

Guam receives a yearly Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development (HUD). To continue participation in this program, GHURA contractually agrees with HUD to implement the Housing and Community Development Act of 1974 and related CDBG program regulations in 24 CFR 570. All CDBG allocations are subject to the regulations detailed in OMB Circulars A-110 and A-122.

GHURA's CDBG Administrative Manual describes program requirements through policy and procedures, and has been approved by GHURA's Board of Commissioners. This manual guides employees, agencies, contractors and sub-recipients on how to use and account for HUD funds. While GHURA's policy and procedures for allocating, managing and reporting on CDBG funds have been in compliance with federal regulations and applicable policy and practice, this document is intended to satisfy the requirement for a concise policy and procedures administrative manual. This manual will be reviewed and, if required, revised annually. It can be revised to meet changes in federal regulations, or to meet administrative needs upon approval of the Executive Director. These policies reflect best practices and policies as set forth by HUD. These policies will be updated on an ongoing basis and shall always reflect a coordination of HUD's National Objectives, Eligible Activities, and Guam Priorities. HUD regulations, guidebooks, and manuals will supersede any future conflicting policies. Copies will be made available to the public upon request, and will be posted on the GHURA webpage.

CDBG ACTIVITIES

The CDBG program distributes federal funds to states, territories, counties and urban cities to fulfill the national goals of the program to

- Provide decent, safe, and sanitary housing
- Provide a suitable living environment, and to
- Expand economic opportunities principally for low and moderate-income persons

CDBG Eligible Activities

1. Acquisition of real property for any public purposes other than the general conduct of government.
2. Disposition of property acquired with Community Development Block Grants funds.

3. Acquisition, construction, rehabilitation, or installation of public facilities and improvements carried out by Guam or other public or private nonprofit entities.
4. Public services that are directed toward improving the community's public services and facilities, including, but not limited to, those concerned with employment, welfare reform, child care, health, drug abuse, education, job training assistance, recreational needs, crime prevention, or energy conservation.
5. Removal of architectural barriers, which restrict the mobility of elderly and/or persons with disabilities. All publicly and privately owned buildings and facilities are eligible for funding.
6. Rehabilitation and preservation for:
 - a. Low and moderate-income owner-occupied houses.
 - b. Low and moderate-income public housing.
 - c. Publicly owned non-residential buildings and improvements otherwise eligible for assistance.
 - d. Publicly or privately owned historic properties.
 - e. Commercial or industrial facility for job creation or retention
 - f. Public Facilities
 - g. Affordable housing or mixed income housing
 - h. Low and moderate-income senior housing
 - i. Businesses that agree to hire, retain and/or serve low and moderate-income persons
7. Activities designed to create or retain jobs. All jobs created within the applicant's program are required to be permanent and at least 51 percent of the total must be for persons of low and moderate income.

Determining LMI Eligibility for CDBG

There are two ways to verify that proposed projects meet the National Objective of benefitting low to moderate income (LMI) individuals: 1) Eligibility may be verified through the use of Census/American Community Survey data, or an income survey of the project area; 2) If the project area is accurately represented by a particular Block Group, the applicant may cite Low and Moderate Income Summary Data (LMISD) data to qualify the project by LMI percentage.

In all cases, the LMI benefit must be accurately documented and the project area must be accurately represented. GHURA staff will verify accuracy of the LMI benefit area, and retain documents in the project files. If LMISD is being used to qualify a project, the census data must coincide with project area. If the LMISD data does not reflect current income levels, or census boundaries do not sufficiently coincide with the project area, an income survey may be warranted.

Income surveys should be methodologically sound and conducted in accordance with 24 CFR 570.483(b)(1)(i), and according to CPD Notice 05-06. As stated in HUD CPD Notice 14-013, "One of the crucial aspects of qualifying an activity as principally benefiting LMI persons on an area basis is the proper identification of the service area. The service area must be defined first before deciding which data to use to determine the percentage of LMI persons and not vice versa." Each application for funding must provide information for the Census Tract(s) and Block Group(s) most closely approximating the project area.

Income Eligibility: Area-Wide Benefit to Low- and Moderate-Income Individuals

The Area-Wide Benefit to Low- and Moderate-Income Individuals category is the most commonly used

National Objective for activities that benefit a residential neighborhood. As defined, this includes activities that benefit all residents in a particular area or neighborhood, where at least 51 percent of the residents are LMI persons. For this purpose, LMI determination is based upon the income of a family, household, or individual living in the CDBG-Small Cities project area whose household income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families (HUD generated LMI data).

HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM - OVERVIEW

The National Affordable Housing Act of 1990 created the HOME Investment Partnerships (HOME) Program. This federal program is designed to strengthen public-private partnerships and to expand the supply of decent, safe, sanitary, and affordable housing. Guam receives an annual allocation of federal HOME dollars. Individual households, non-profit and for-profit developers may apply for HOME funding. Beneficiaries of HOME funds – homebuyers, homeowners or tenants – must have incomes below 80% of the area median income. The Guam HOME program does not have a match requirement (24CFR § 92.64(a)(1)).

HOME ACTIVITIES

Eligible Activities

The Eligible activities are defined in the HOME program regulations at 24 CFR 92.205. A list of some of the activities follows:

- Rehabilitation of residential property where property is fully repaired and unit is restored to full local code compliance.
- New construction of residential property
- Acquisition of residential property
- Rental assistance payments to tenants
- Relocation associated with an eligible HOME project

Ineligible Activities

The following activities are generally not eligible for HOME funding:

- Project reserve accounts, except for the initial 18 months of a HOME assisted new construction project
- Emergency home repair programs
- Public housing units
- Commercial properties
- Shelters, unless they meet Section 8 Housing Quality Standards and otherwise can be considered rental housing
- Project-Based tenant assistance

Note: The above lists are not comprehensive. For a complete list of eligible or ineligible activities refer to HOME regulations in 24 CFR 92.205.

Determining LMI Eligibility for HOME

Guam calculates income for the **Homebuyer and Housing Rehabilitation program** using the IRS Form 1040 Adjusted Gross Income method. These two programs require that the family income must be at or below 80% of Area Median Income meeting.

The **HOME Tenant Based Rental Assistance program** and **Rental Housing Activities** use Annual Income as determined in 24 CFR Part 5. Generally, the following documentation received for both of these programs includes:

- Copies of tenant's most recent Federal and State income tax returns (including all schedules).
 - Most recent W2's (wage and salary) and 1099's (misc. income received).
 - Current bank statements for all checking, savings, money markets, stocks, bonds, mutual funds, Treasury bills, certificates of deposits and any other liquid assets for all household members.
 - Last three months of pay-check stubs showing year-to-date amounts for all household members.
- *Note: If tenant is retired, disabled, or unemployed, proof of current income received from all sources is required.
- If self-employed, bring past tax returns for the last two years.
 - Social Security Annual Statement(s) (Form SSA-1099).
 - Pension statement(s).
 - Proof of child support and/or spousal support received.
 - Proof of child support and/or spousal support paid.
 - Current mortgage statement for all mortgages for other liens on property.
 - Current credit report. A free credit report may be obtained at www.annualcreditreport.com.

HOME Program Partners

HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. GHURA is given broad discretion in administering HOME funds. HUD allows the Participating Jurisdiction (PJ) to use HOME funds anywhere within the boundaries of local PJs. Typical partners involved in the use of Guam's HOME allocation are:

- Local Governments – some also qualify as a PJ and receive a direct HOME allocation from HUD
- Consortia – contiguous units of local government formed for the purpose of qualifying for a direct allocation of HOME funds from HUD.
- Community Housing Development Organizations (CHDO) – a designation by the Department of a private, non-profit organization that meets a series of qualifications. The Department invests a minimum of 15 percent of its annual allocation of HOME funds for housing owned, developed or sponsored by CHDOs.
- Sub-recipients – a public agency or non-profit organization selected by the Department to administer a portion of the HOME Program.
- Developers, Owners and Sponsors – nonprofits participating in the HOME Program as owners, developers and sponsors of housing.

COMPLIANCE REQUIREMENTS

Use of these federal funds must clearly demonstrate both program integrity and program results. In return for federal funding, not only does GHURA have compliance requirements in the form of reporting, administration and documentation, but each sub-recipient assumes these as well. Every sub-recipient is responsible for knowing and following the guidelines and providing access for review by local and federal staff. There are substantial documentation and data collection requirements for funded projects including:

- Demographic data collection on populations served
- Expenditures
- Personnel
- Procedures
- Program activities
- Results

This manual was developed to improve regulatory compliance and ensuing documentation requirements. This information is not a substitute for reading and understanding the federal regulations.

REQUIRED REPORTS

The process of completing the Consolidated Plan (ConPlan) and the Annual Action Plans (AAP) helps Guam determine what activities to fund in the upcoming year. Both the ConPlan and the AAP will incorporate citizen participation, by way of the Citizen Participation Plan. The following provides a brief framework guiding the completion of the required reports.

Consolidated Plan

Guam's Community Development and Planning (CDP) staff produces the Consolidated Plan, which is a 5-year Plan that describes Guam's needs, resources, priorities and proposed activities to be undertaken through the CDBG program. Prior to the beginning of each program year of the 5-Year Plan, Guam must submit an update to HUD, referred to as the Annual Action Plan. The Action Plan describes the specific uses for that year's CDBG allocation. It includes the priorities and proposed activities originally detailed in the 5-Year Plan.

The 5-Year Consolidated Plan includes the following:

1) Description of the processes to develop the Plan; 2) Housing and homeless needs assessment; 3) Housing market analysis; 4) Strategic plan; and 5) One-Year Annual Action Plan.

Annual Action Plan

Guam's Community Planning and Development (CPD) staff produces the Annual Action Plan, including recommending appropriation of funds to sub-recipients and contingency plans. Approval of the Annual Action Plan rests with the Board of Commissioners.

Upon receipt of its annual entitlement award amount from HUD, Guam staff will complete the Annual Action Plan of the five-year Consolidated Plan, using the HUD Integrated Disbursement & Information System (IDIS). Guam will publish a notice for a minimum of 30-days public review period, which shall

include information as to where copies of the draft plan may be found and how members of the public can provide comment.

The Draft Action Plan shall be made available no later than mid-June of each year in print form at GHURA's Main Office in Sinajana and on the agency's website. Copies shall be provided to individuals upon request. Following the public review period, Community Planning and Development staff shall submit the Action Plan to the Honolulu HUD Field Office no later than mid-August of each year unless a written extension of time is requested and received. The Action Plan shall include goals, objectives and performance measurements for all CDBG-funded activities and projects. Once HUD has received and reviewed the Action Plan, and the appropriate agreements with HUD have been signed for CDBG, GHURA staff shall prepare and process agreements with sub-recipients. Legal Counsel shall review the draft CDBG public services and public facilities agreements to ensure compliance with federal and local codes and regulations, including non-discrimination clauses and Guam insurance requirements.

Preparation of the Consolidated Annual Performance Evaluation Report (CAPER)

CPD staff shall prepare the Consolidated Annual Performance Evaluation Report (CAPER) using the HUD Integrated Disbursement & Information System (IDIS). The CAPER shall provide financial and beneficiary information showing how Guam is carrying out its housing and community development strategies, projects and activities. The Community Planning and Development staff and financial management personnel shall prepare the required IDIS program and financial reports for submission with the CAPER. The draft CAPER shall be available for a 30-day (minimum) public review period in October each year, together with information on how to provide comment and/or questions. Print copies shall be available at the GHURA Main Office and the report will be posted on the agency's website.

Guam shall submit the final CAPER with public comments and Guam responses to the HUD-Honolulu Field Office no later than December 31st each year, or within ninety days following the close of the program year. The HUD-Honolulu Field Office prepares an annual Program Year Review Letter with comments on the use of CDBG funds as reported in the CAPER. Guam will follow up on any necessary corrections or recommendations contained in the Review Letter as quickly as possible.

Program and Financial Reporting

- a) CPD shall ensure that SF 425 and SF 425-A, the Quarterly Federal Financial Report, are filed accurately and in a timely manner.
- b) CPD shall submit to HUD each year a report (HUD/EEO-4) on recipient employment containing data as of June 30.
- c) CPD shall ensure that HUD forms are filed correctly and in a timely manner. The Chief Planner shall also ensure that reporting requirements are completed.
- d) CPD will submit such other reports and information as HUD determines are necessary to carry out its responsibilities under the Act or other applicable laws.
- e) CPD staff shall work with all sub-recipients to ensure that they comprehend reporting requirements, with the understanding that Guam and sub-recipients share joint responsibility for carrying out permitted activities in accordance with federal requirements. Sub-recipients shall provide documentation that demonstrates the achievement of program goals and the completion of activities

on a monthly basis. All requests for reimbursement shall have adequate documentation of how federal funds were used and that funds were used only for eligible activities. Complete records, and accurate and timely reporting, are essential to successful CDBG programs for Guam and all sub-recipients.

f) CPD staff shall ensure that expenditures of CDBG funds shall be drawn down from the U.S. Treasury on a regular basis.

PROGRAM AMENDMENTS

Prior to making any additions, deletions, or changes to the Community Development Block Grant Program Consolidated Plan, the following determination will be made on the amendment:

1. If the proposed change is a *minor amendment* defined as an amendment to the program that costs less than 10% of the total current year grant and only affects an activity previously described in the Consolidated Plan and Annual Plans.

OR

2. If the proposed change is a *substantial amendment* when a) the amendment makes changes in its allocation priorities or a change in the method of distribution of funds; b) the amendment carries out an activity, using funds from any program covered by the consolidated Plan (including program income), not previously described in the action plan; or c) the amendment changes the purpose, scope, location or beneficiaries of an activity.

Once a determination has been made, based on the above criteria, one of the two following procedures will be undertaken:

1. Minor Amendment

The staff of the Community Planning and Development Division will seek a final approval from the Board of Commissioners for any minor amendment to Guam's Entitlement Program and will be noted in the Annual Plan.

2. Substantial Amendment

The staff of the Community Planning and Development Division will, pursuant to the Community Development Block Grant Regulations (24 CFR 91.105 and 24 CFR Part 570), undertake the following amendment process for any proposed substantial amendment to the Consolidated Plan:

a. Provide a reasonable notice of public hearing on the proposed amendment to the Consolidated Plan by publishing a legal notice in the newspaper of record for Guam.

1) The notice shall provide a description of the amendment.

2) Be published at least thirty (30) days prior to the public hearing.

b. Allow citizens, agencies and/or groups the opportunity to comment on the proposed amendment in writing and/or verbally at a public hearing held by Guam.

c. Obtain approval on the substantial amendment from the Board of Commissioners and submit report on IDIS.

CITIZEN PARTICIPATION PLAN

The U.S Department of Housing and Urban Development (HUD) requires local government grantees to adopt a Citizen Participation Plan. The Citizen Participation Plan of the Guam Housing and Urban Renewal Authority fulfills HUD's statutory requirements for citizen participation. Guam's plan is designed to increase participation and input for area residents in developing housing and community programs. The plan can be accessed on the GHURA website. **See Appendix A.**

PROGRAM OVERSIGHT

The Board of Commissioners is composed of six members and one chairperson, and serves as the governing body to authorize and approve the Annual Action Plans in Guam. Executive authority for the execution of CDBG contractual agreements and expenditure of CDBG funds rests with the Executive Director, as authorized by the Governor of Guam. CDBG program administration is provided by the Guam Housing and Urban Renewal Authority. Public involvement in the planning process on the use of CDBG funds is required by law, as stated in the Citizen Participation Plan. Furthermore, all public hearings are reasonably noticed as required by 24 CFR 570.486(a), with a minimum 30-day Public Hearing Notice.

Program Activities, Policies and Procedures

All CDBG program policies, procedures, and schedules are submitted annually to the Board of Commissioners for approval by means of the Annual Action Plan. Community Planning and Development staff are responsible for presenting the Annual Action Plan.

All CDBG grant funding proposals are submitted for approval to the Board of Commissioners. The proposals shall be based on written reports from Community Planning and Development Division staff.

Contracts/MOU

All contracts and MOUs are reviewed by Guam's legal counsel. All contracts and MOUs require review of content and the signature of Guam Housing and Urban Renewal Authority's executive director.

GRANT ADMINISTRATION

Guam will follow the regulations governing the CDBG program which are found in Title 24 CFR Part 570, Community Development Block Grants. Guam's Community Planning and Development (CPD) staff is responsible for ensuring that CDBG funds are used in accordance with all program requirements. Guam staff is also responsible for determining the adequacy of performance of public agencies, sub-recipients or contractors under sub-recipient agreements and CDBG Administrative procurement contracts, and for taking appropriate action when performance problems arise.

FUNDING DISTRIBUTION

The CDBG and HOME programs allow certain set-asides to further specific program goals. Guam has established funding targets to help meet local objectives. The following is the distribution for Guam:

CDBG

- Public Service Projects - 11% maximum

- Planning & Administration – 20% max
- Public Facilities and Improvement – 69%

HOME

- Planning and Administration - 15% max
- Homeownership 85%

CDBG APPLICATION PROCESS FOR SUB-RECIPIENTS

The application process and estimated timeline are as follows:

| | |
|--------------|---|
| Mid-January | 1 st Public Notice of Availability of Funds |
| Mid-February | 2 nd Public Notice of Availability of Funds; Public Meeting and CDBG Application Workshop |
| Mid-March | 3 rd Public Notice of Availability of Funds |
| Late March | Applications due |
| Late April | Application review completed |
| Early June | In-house project selection completed; Decision letters sent to applicants |
| Mid-June | Public Comment Period begins; Governor's Office Review of Annual Action Plan |
| Mid-July | Public Hearing scheduled for oral and written testimony |
| Early August | Final Date to submit written public comment |
| Mid-August | Submission of Annual Action Plan to HUD |

1. NEEDS ASSESSMENT PROCESS

As part of the five-year consolidated planning process, an assessment will be conducted to identify the needs of the low and moderate-income residents of Guam. Applicants must be aware that in order to submit a project proposal, a need must have been submitted resulting in the development of a specific objective to meet the need.

2. NATIONAL OBJECTIVES & GUAM PRIORITIES and OBJECTIVES

All proposals must address a national objective of the CDBG Program, in addition to a Guam objective, as identified in the Consolidated Plan.

National Objectives specify that an activity must:

- Benefit low and moderate-income persons;
- Aid in the prevention or elimination of slums or blight; or
- Meet urgent needs that threaten the health or welfare of a community.

Guam Objectives specify that an activity must address at least one priority:

A. Decent Housing

(Make Decent Housing Available and Accessible, Make Decent Housing Affordable Sustain the Stock of Decent Housing)

B. Suitable Living Environment

(Make Suitable Living Environments Available and Accessible Sustain Access to Suitable Living Environments Serving Low-and Moderate-Income Individuals and Special Needs Populations)

C. Economic Opportunity

(Make Economic Opportunities Available and Accessible, Support the Sustainability of Ongoing Economic Opportunities)

The federal government requires that at least seventy percent (70%) of program funds must be used to address the first objective, benefit to low and moderate-income persons. The federal government details the specific requirements for demonstrating that a project addresses a national objective. These are included in the Consolidated Plan.

3. COMPETITIVE PROGRAM CATEGORIES

Each proposal must be submitted for funding under a specific program category identified in the Consolidated Plan. The proposal must comply with specific requirements for activities within that category.

4. DEADLINE FOR SUBMISSION OF PROPOSALS

Guam will establish a specific date by which time all application materials must be received at the GHURA Main Office. The application materials, made available by GHURA, will include the deadline for the submission of project proposals and all required materials. Applications will be rejected if materials are not submitted by the specified deadlines.

5. PROJECT SELECTION: STAFF ANALYSIS

The project selection process is identified in the Consolidated Plan. Following receipt of completed project proposals, GHURA staff may request additional information from applicants to clarify applications. Community Planning and Development staff shall establish a final date, after which applicants will not be allowed to make changes to their proposals. Staff prepares a preliminary analysis of each proposal, and sends it to a review committee comprising GHURA staff for analysis and scoring.

6. PROPOSAL EVALUATION

GHURA staff will evaluate proposals in accordance with the project selection criteria included in the application packets, or as amended by GHURA.

7. PROJECT RANKING AND FUNDING RECOMMENDATIONS

Following GHURA's rating of applications, GHURA will identify and endorse a list of proposed projects for each program category, to the extent that funds are available.

8. ANNUAL ACTION PLAN

Projects included on the proposed list of funding must be endorsed by the Board of Commissioners and the Governor of Guam. The list of funded projects will be included in Guam's Annual Action Plan.

NON-COMPETITIVE PROCESS

Funding priority will be afforded to projects already approved through the Consolidated Plan process. To support their completion. It will be necessary from time-to-time for GHURA to suspend the competitive process to ensure that adequate resources are made available to complete currently approved projects. The final project list shall be made public in accord with means determined by GHURA's Citizen Participation Plan and will make reference to a non-competitive process.

CDBG & HOME MINIMUM PROPERTY STANDARDS

CDBG and HOME funds are available to provide decent, affordable housing. Funds are available for either direct rental assistance or for the construction or rehabilitation of housing.

1. Housing Rehabilitation Loan Program: Housing improved through Guam program is subject to inspection and approval.
2. Manufactured Housing: Construction of all manufactured housing must meet the Manufactured Home Construction and Safety Standards established in 24 CFR 3280 Manufactured Home Construction and Safety Standards. Installation and rehabilitation of manufactured housing must comply with Guam codes.
3. New Construction or Rehabilitation: Housing that is newly constructed or substantially rehabilitated with federal funds must meet local rehabilitation standards, local building codes, fire codes and maintenance standards.
4. Rental Housing: An owner of rental housing assisted with federal funds must maintain the housing in compliance with all local building codes, fire codes and maintenance standards. A Housing Quality Standards (HQS) is performed according to 24 CFR 92.251.
5. Tenant Based Rental Assistance (TBRA): When federal funding is provided for rental assistance, housing units must be inspected to meet the minimum HQS established in 24 CFR 982.401, prior to occupancy. No funds will be released until inspections are completed and approved with documentation in project files.

AGREEMENTS WITH SUB-RECIPIENTS

As a result of the Office of Management and Budget's release of the Super Circular and the U.S. Department of Housing and Urban Development's Notice of Transition to 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Guidance, GHURA has made several changes and additions to the CDBG Contracts. Grantees are strongly encouraged to thoroughly review the CDBG contracts prior to execution.

Before disbursing any CDBG funds to a sub-recipient, Guam shall sign a written agreement with the sub-recipient. The agreement shall remain in effect during any period that the sub-recipient has control over CDBG funds. At a minimum, the written agreement with the sub-recipient shall include provisions concerning the following:

(1) Statement of Work

The agreement shall include a description of the work to be performed, a schedule for completing the work, and a budget. These items shall be in sufficient detail to provide a sound basis for Guam to effectively monitor performance under the agreement.

(2) Records and Reports

Guam shall specify in the agreement the particular records the sub-recipient must maintain and the particular reports the sub-recipient must submit in order to assist Guam in meeting its recordkeeping and reporting requirements.

(3) Program Income

The agreement shall include the program income requirements set forth in §570.504(c).

(4) Uniform Administrative Requirements

The agreement shall require the sub-recipient to comply with applicable uniform administrative requirements, as described in §570.502.

(5) Other Program Requirements

The agreement shall require the sub-recipient to carry out each activity in compliance with all Federal laws and regulations described in 24 CFR Part 570, Subpart K of the regulations.

(6) Suspension and Termination

The agreement shall specify that, in accordance with 24 CFR 85.43, suspension or termination may occur if the sub-recipient materially fails to comply with any term of the award, and that the award may be terminated for convenience in accordance with 24 CFR 85.44.

(7) Reversion of Assets

The agreement shall specify that upon its expiration the sub-recipient shall transfer to Guam any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of CDBG funds. It shall also include provisions designed to ensure that any real property under the sub-recipient's control that was acquired or improved in whole or in part with CDBG funds (including CDBG funds provided to the sub-recipient in the form of a loan) in excess of \$25,000 is either:

(i) Used to meet one of the national objectives in §570.208 (formerly §570.901) until five years after expiration of the agreement, or for such longer period of time as determined to be appropriate by Guam; or

(ii) Not used in accordance with paragraph (7)(i) of this section, in which event the sub-recipient shall pay to Guam an amount equal to the current market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of, or improvement to, the property. The payment is program income to Guam.

Sub-recipients are also required to have or develop written policies for the following items: Accounting Records, Grievance and Complaint Process, Affirmative Marketing, Internal Control, Allowable Costs, Nondiscrimination, Budget Control, Procurement, Transactions, Cash Management, Property Management, Conflict of Interest, Travel, Drug-Free Workplace, Wage Laws, and Duplication of Costs.

A sub-recipient may request modifications in the scope of services, terms or conditions of the contractual agreement. Proposed modifications which are mutually agreed upon will be incorporated by written amendment to the agreement. Modification must be requested at least 30 days in advance.

PROGRAM INCOME

Program income on hand must be used for any authorized activity before drawing down additional grant funds. Guam has and can use its CDBG entitlement to fund programs that generate income. Typically, program income is generated from issuing loans, but sale of real property and rental income are also considered program income. When income is generated from activities that are only partially funded by CDBG funds, the income must be prorated to reflect the percentage of CDBG funds used. Any activity that will generate program income must stipulate in a written agreement how the program income will be returned to Guam or designated representative.

Guam has received program income at period intervals from outstanding loans in repayment and at random from loans that were deferred until transfer of the property assisted. Program income must be deposited into one of two revenue line-items depending on the source of funds.

HOME - PROGRAM INCOME

HOME Program Income is gross income received by the participating jurisdiction or a HOME sub-recipient directly generated from the use of HOME funds or matching contributions. Program Income does not include funds recaptured from a homebuyer who does not meet his affordability period or who is foreclosed upon. These funds are recaptured funds and must be returned to Guam.

Income generated by CHDOs, not-for-profits, or for-profits acting as owners, sponsors or developers of HOME units are not considered program income. When housing that generates program income is only partially assisted with HOME funds or matching funds, the income shall be prorated to reflect the percentage of HOME funds used.

Program income includes, but is not limited to, the following:

- Proceeds from the disposition by sale or long-term lease of real property acquired, rehabilitated, or constructed with HOME funds or match contributions;
- Gross income from the use of rental of real property, owned by the participating jurisdiction, State recipient, or a sub-recipient, that was acquired, rehabilitated, or constructed, with HOME funds or matching contributions, less costs incidental to generation of the income;
- Payments of principal and interest on loans made using HOME funds or matching contributions;
- Proceeds from the sale of loans made with HOME funds or matching contributions;
- Proceeds from the sale of obligations secured by loans made with HOME funds or matching contributions;
- Interest earned on program income pending its disposition; and
- Any other interest or return on the investment permitted under § 92.205(b) of the HOME funds or matching contribution.

The following outlines the four methods in which HOME program income should be treated.

1. Treatment by Local Unit of Government

Local units of government that receive HOME repayments during the affordability period must return the funds to GHURA. However, if you have an open HOME award with GHURA, you must use these funds prior to drawing additional funds from GHURA. The funds must only be utilized on the following

line items: new construction, rehabilitation, program delivery and demolition.

2. *Treatment by Non-Profit or For Profit Not Acting as an Owner, Sponsor or Developer (e.g., owner occupied)*

Non-profit entities or for-profit entities that receive HOME repayments during the affordability period must return the funds to GHURA. However, if you have an open award with GHURA, you must use these funds prior to drawing down additional funds from GHURA. The funds must only be utilized on the following line items: new construction, rehabilitation, program delivery and demolition.

3. *Treatment by Non-Profit or For-Profit Acting as an Owner, Sponsor or Developer*

Non-profit entities or for-profit entities receiving payment back from homebuyers or rental tenants during the affordability period may keep these funds and the funds must be utilized for housing activities that benefit low-income families as provided in the HOME Investment Partnerships Program Application.

CERTIFICATIONS

In order to receive federal funds, each grantee and sub-recipient must attest or certify to the following: anti-lobbying, certification of debarment, conflict of interest, drug-free workplace, and nonparticipation in political activities. **See Appendix B for additional information.**

ENVIRONMENTAL REVIEW

The environmental review procedures set forth at 24 CFR part 58 must be completed for each activity (or project as defined in 24 CFR part 58), as applicable. Contracts will not be executed with sub-recipients, and expenditures for Guam-managed projects will not be approved until an environmental review is complete. In some cases, local coastal zone management program (CZMP) plan requirements will also be considered. Environmental review forms and documents must be signed by the appropriate staff in the Community Planning and Development Division. Guam will ensure that all Finding of No Significant Impact (FONSI) and Request for Release of Funds (RROF) requirements are completed for capital improvement projects and housing rehabilitation projects prior to initiation of project activities.

Environmental Review Record

Before any action can commence on a CDBG activity, staff must compile an environmental review record and make determination about the impact on the environment. Activities fall into five categories that require different levels of review, public notification and HUD review.

Exempt Activities

The following activities require only a written determination of the exemption in the environmental review record:

1. Environmental and other studies; resource identification; plans and strategies
2. Information and financial services
3. Administrative and management activities
4. Public services that have no physical impact or result in physical change
5. Inspections and testing
6. Purchase of insurance
7. Purchase of tools

8. Engineering, design or training
9. Technical assistance or training
10. Temporary or permanent improvements limited to protection and restoration to control or arrest effects from disasters
11. Payment of principal and interest on loans made or guaranteed by HUD

Categorical Exclusions (b) Excluded Activities

The following activities require a written determination of the exclusion with documentation in the environmental review record:

1. Tenant based rental assistance;
2. Supportive services such as health care, day care, housing placement, etc.;
3. Operating costs, maintenance, utilities, furniture and equipment;
4. Economic development activities such as equipment purchase, inventory financing, interest subsidy, operating expenses not associated with construction or expansion;
5. Activities to assist homeownership of existing or “new dwelling units not assisted with Federal funds”;
6. Affordable housing pre-development “soft” costs.

Categorical Exclusions (a) Excluded Activities

The following activities require a written determination of the exclusion with documentation in the environmental review record, a complete statutory checklist, seven-day Notice of Intent to Request Release of Funds and HUD approval:

1. Acquisition, repair, improvement, reconstruction or rehab of public facilities other than building without change in use or increase in size or capacity by more than 20 percent;
2. Projects to remove material and architectural barriers that restrict handicap access;
3. Rehabilitation of buildings:
 - i) in case of residential if
 - a) unit density not increased by more than 20 percent,
 - b) does not change use from residential to nonresidential, and
 - c) cost of rehab less than 75% of total cost of replacement after rehab;
 - ii) in case of non-residential if
 - a) facilities are in place will not change in size or capacity by more than 20 percent and
 - b) the activity does not involve a change in land use;
4. Individual action on a 1-4 family dwelling or project of 5 or more units on scattered sites if more than 2,000 feet apart or not more than 4 units on one site;
5. Acquisition, disposition of existing structure or acquisition of vacant land where use will remain unchanged

Environmental Assessment and Environmental Impact Statement Determination

An Environmental Assessment (EA) is required for all other activities that are not considered exempt or categorically excluded and that do not require the completion of an Environmental Impact Statement. Environmental Assessments require a written determination with documentation in the environmental review record, a complete statutory checklist, a complete environmental assessment checklist, a complete Finding of No Significant Impact (FONSI), a 15-day combined Notice of FONSI and Notice of

Intent to Request Release of Funds and HUD approval.

An Environmental Impact Statement Determination (EIS) is required when activity is determined to have potential significant impact on environment. Contact HUD to determine the complete required process under the following circumstances:

1. Project provides a site or sites for, or results in construction of, hospitals or nursing homes containing 2,500 or more beds;
2. Project removes, demolishes, converts, results in construction of or installation of or substantially rehabs, 2,500 or more housing units or housing sites;
3. Project would provide additional water and sewer capacity to support 2,500 or more new housing units or comparable development.

Lead-Based Paint and Lead Hazards

Projects that involve the acquisition or renovation of property built prior to 1978 must be tested for lead-based paint. Interim controls and safe work practices are required during construction. In addition, housing assisted with federal funds is subject to the:

- Prohibition of the use of lead-based paint
- Elimination of immediate lead-based paint hazards in residential structure
- Notification of the hazards of lead-based paint poisoning to purchasers and tenants of residential structures constructed prior to 1978 Paid renovators and multi-family housing maintenance workers who work in pre-1978 housing and child-occupied facilities will be required to meet the training and certification requirements of both HUD - Lead Safe Housing Rule (LSHR) and EPA – Renovation, Repair and Painting Rule (RRP). Paid renovators include renovation contractors, painters and other specialty trades.

PROCUREMENT

GHURA's procurement policy is found in **Appendix C**. This Procurement Policy shall apply to all procurements undertaken by the Authority. Where a procurement involves the expenditure of federal or contract funds, including grants, GHURA shall comply with such federal law and regulations that are applicable and may be in conflict with this Procurement Policy.

CONSTRUCTION AND LABOR STANDARDS

The section addresses the federal requirements for construction and labor standards.

Statutory Provisions

The five statutory provisions that must be followed for construction and labor standards on all CDBG funded projects are as follows:

- Housing and Community Development Act of 1974 (42 USC 5310) Provides that "All laborers and mechanics employed by contractors or subcontractors in the performance of construction work

financed in whole or in part with assistance received under this chapter shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 USC 276a-276a-5): Provided that this section shall apply to the rehabilitation of residential property only if such property contains not less than 8 units.”

- Davis-Bacon Act (DBA) (40 USC 276A-276A-5) Provides that contracts in excess of \$2,000 to which the United States is a party for the construction, alteration, and/or repair, including painting and decorating of public buildings or public works, which involve the employment of laborers and/or mechanics, shall contain provisions with respect to minimum wages, fringe benefits, payments without deductions or rebates, withholding funds from contractors to ensure compliance with the wage provisions, and termination of the contract or debarment for failure to adhere to the required provisions.
 - Contract Work Hours and Safety Standards Act (CWHSSA) (40 USC 327-333). CWHSSA provides that work in excess of 40 hours per week, which occurs on the job site, shall be compensated for at rates not less than one and one-half times the basic rate of pay. CWHSSA applies to both direct federal contracts and indirect federally-assisted contracts except where the assistance is solely in the nature of a loan guarantee or insurance. CWHSSA applies to prime contracts valued above \$100,000. CWHSSA also applies to maintenance laborers and mechanics employed by public housing authorities.
 - Copeland Act (Anti-Kickback Act) (40 USC 276c). Makes it a criminal offense for any person to induce, by any manner whatsoever, any person employed in the construction, prosecution, completion, or repair of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, to give up any part of the compensation to which he/she is entitled under his contract of employment. The Act also requires contractors on covered projects to submit weekly a “Statement of Compliance” certifying that the contract has paid the required wages.
 - Fair Labor Standards Act of 1938, as Amended (FLSA), (29 USC 201, et.seq.). Establishes minimum wage, overtime pay (40-hour workweek), recordkeeping, and child labor standards. When prevailing rates apply, in general all the above statutory provisions apply except to the rehabilitation of residential property only if such property contains no less than eight (8) units.
 - Davis-Bacon (DBA) Compliance. Davis-Bacon applies when:
 - CDBG funds are used to fund “in whole or in part” construction contracts of more than \$2,000
 - Demolition activities to be followed by on-site construction
 - Installation of equipment that is considered more than an incidental amount (12%) of the overall project cost
- Davis-Bacon does NOT apply:
- CDBG funds used to fund non-construction “soft costs” (land and building acquisition, equipment, engineering services, etc.)
 - CDBG-funded demolition with no on-site construction contemplated

Labor Standards Procedures – Overview

Sub-recipients must develop a compliance and enforcement program that ensures all applicable labor standard requirements are met. Sub-recipients, Guam and CPD staff must work together to ensure compliance with Davis-Bacon and related acts. Guam has a designated Labor Standards Compliance Officer (LSCO) with the overall responsibility to coordinate and ensure compliance with all appropriate labor standards regulations and maintenance of an accurate filing system. The final responsibility for compliance rests with the sub-recipient.

Labor Standards Compliance Officer (LSCO) Responsibilities:

- Secure applicable general wage determination
- Ensure all applicable wage rates and labor standard provisions are included in the bid specifications and contract documents
- Monitor contractor compliance, to include (but not limited to):
 - Receive and review weekly payrolls submitted by contractor and subcontractors
 - Assure all federal and state posters are properly displayed at the project work site
 - Conduct employee interviews with all wage classifications
- System for Award Management
 - Verify that contractor/subcontractor are on the system for award management prior to award of contract
 - Verify contractor/subcontractor company name; or
 - Verify contractor/subcontractor owner by name

Establish Construction and Labor Standards Filing System

The following list contains major steps for Guam to take in properly organizing construction and labor standards documents.

- 1) All land and/or easement acquisition documentation, if applicable.
- 2) Preliminary design and cost estimates
- 3) Wage determination
- 4) Final design and cost estimates
- 5) Construction bid package
- 6) Approval of bid documents by authorities having jurisdiction over the project
- 7) Proof of publication for bid advertising. This file may also include letters utilized to specifically solicit for minority/women contractor participation.
- 8) Wage determination verification 10 days prior to bid opening
- 9) Bid opening minutes and bid tabulations
- 10) Verification of contractor and/or owner eligibility
- 11) Written recommendation for award of contract
- 12) Executed construction contract(s). MUST include contracts with subcontractors.
- 13) Pre-construction conference minutes or evidence of meeting with contractor
- 14) Notification to the Department of contract award (LSE7 Notice of Award due within 10 days after award)
- 15) Contractors/subcontractors weekly payrolls and evidence of review. (Note: copies of the first, third, and fifth (1, 3, 5) payrolls from each contractor must be sent to the GHURA.)

- 16) Verification of posters at job site; submit a picture to the GHURA with the first payroll
- 17) Other related correspondence

Bid Requirements, Procedures, Provisions

The regulations to be followed in the bid process include the following:

- HUD CPD 570.502 Retention and Access Requirements for Records
- Code of Federal Regulations 2CFR Part 200 Chapter 300 Procurement
- 2 CFR Part 200 Subpart E- Cost Principles/ General Provisions for Selected Items of Cost Section 200.427 (allowable costs)

Acquisition Procedures

The grantee must have finalized all land acquisition, right-of-ways and easements necessary for carrying out the project prior to bid advertising. The grantee or architect/engineer must also notify all public utilities, gas, water, electrical, sewer or drainage services that might have any underground installations within the project area. A copy of any such plat/diagram received must be included in the bid and contract document.

Bid Package Procedures

The architect/engineer will normally prepare the technical bid specifications. These specifications must provide a clear and accurate description of the technical requirements for materials, products and/or services to be provided and under which the work is to be performed. The plans and specifications must be stamped by an architect/engineer registered by the territory and in accordance with Guam statutes. It is important that the grantee and certified grant administrator be involved in the bid process.

Cost Estimate Format

The bid package must include cost and pricing formats. Generally, the street, water, sewer, utility and landscaping project will be unit price contracts, while building type contracts will be lump sum. For unit cost contracts, the bid specifications should delineate each type of item, estimating quantity, unit price and estimated total cost.

Wage Determinations

The grantee should determine, at least 30 days prior to advertising for bids, if a general wage determination is required for the specific project.

General Wage Determination

A general wage determination generally applies to heavy construction (such as public facilities), highway construction, building, and residential. The grantee, through the certified grant administrator, is responsible for obtaining the correct wage determination for their project. The wage determinations can be accessed at <http://www.wdol.gov>.

If a wage determination is updated 10 days prior to bid opening, an addendum to the bid documents will be required and all entities who have received a bid package will need to be provided with the updated wage determination. The general wage determination is in effect for the life of the project unless a contract is not awarded within 90 days of the bid opening. If a contract is not awarded within 90 days of bid opening, then a new wage determination is required.

Bid Package Requirements

These documents must be included in the bid package:

- Attachment 1- Bonding and Insurance Requirements;
- Attachment 3- Civil Rights and Equal Opportunity Provisions;
- Attachment 3a- Certification of Bidder Regarding Section 3 and Segregated Facilities; CDBG
- Attachment 3b- Contractor Section 3 Plan;
- Attachment 4- Special Equal Opportunity Provisions;
- Attachment 5- Access to and Maintenance of Records; and
- Attachment 6- Clean Air and Water Acts Required Clauses
- HUD 4010 must also be included.

Attorney Review

Guam's attorney will review a bid package in its entirety to ensure compliance with applicable laws for projects in excess of \$500K.

Bids Advertised

Once bid documents are prepared and the current wage determination is secured, Guam will solicit bids through public advertising. Bid advertisements must conform to local law, with respect to schedule and number of times advertised. In addition, Guam may also solicit bids from firms, if it maintains a list of bidders.

Verification of Wage Determination

Ten days prior to the opening bid date, the grantee must check online at <http://www.wdol.gov> to determine if there have been any modifications or replacement of the general wage determination previously issued. The grantee must print the wage determination as documentation that the verification has been made in the allotted time. This is important because if the wage determination has changed, Guam is liable for any difference in the increased wages for the project if the contractor is not provided with the new wage determination.

Bid Amendments

If bid documents are amended during the advertisement period, an addendum to the bid documents must be included in the bid documents and sent to all bidders who have received bid documents. If a wage determination modification or new wage determination is published prior to bid opening, the grantee must send them as an addendum to all contractors who received the original bid package.

Bid Opening and Evaluation

All bids received must remain sealed and in a safe place until the bid opening. All bids received should be logged in with the time, date of receipt, name of offeror, and procurement number. The public bid opening should be conducted in a business-like manner. The bids should be read aloud during the bid opening meeting. The apparent low bidder will be determined during the bid opening. However, the bids also must be reviewed for both technical and legal responsiveness. In addition, the bidders must be evaluated as having the capacity to furnish products and/or services required. Minutes of the bid opening, a tabulation of the bids, and copies of all bids received should be placed in the contract file.

When Bids Are Higher Than Cost Estimates

Negotiation Procedures

When the lowest bid exceeds the amount allocated for the project, Guam may negotiate with the low bidder in accordance with Guam statutes to bring the contract within the available funding level. The grantee can reject all bids or provide needed funds from other sources or through reallocation of CDBG funds. If Guam has reason to believe available funds are likely to be inadequate for the full scope of work proposed, the grantee should request deductible alternatives in the bid document so that the project can proceed in a timely fashion and not require a second solicitation.

Deductible Alternatives

If deductible alternatives are requested, the bid document must specify the method and order in which alternatives will be applied in determining the low bid. Drawings also must clearly show the alternative. For example, if the project was for 1,500 linear feet of street construction, sidewalks, street lighting, and replacement of sanitary sewer lines, 300 linear feet of sidewalks might be a deductible alternative. The desirability of using this method when cost estimates are very close to the amount of available funds (or if cost estimates are based on roughly comparable projects) cannot be overestimated. Failure to do so may require modification of bid packages and a repetition of the entire process with delays in project implementation. If this method is not used and the bid exceeds the amount allocated, Guam can provide the additional funds from other sources.

Contract Award

Citation

- Code of Federal Regulations 2 CFR 200 Chapter 300 Procurement, 2 CFR 200.325 (Bonding Requirements)
- Code of Federal Regulations 2 CFR 200.318 (i) (Retention and access requirements for records)
- HUD CPD 570.502(a)(16) (Retention of Records)

Verifying Contractor

Prior to award of the contract, Guam must check the System for Award Management (<http://sam.gov>) to make sure the proposed prime contractor and all subcontractors are not on the federal list of debarred, suspended, or ineligible contractors. The grantee must check the company, as well as the owner of the construction company. The grantee must print the result(s) of the search and retain in their files.

Contract Award Procedures

The contract must be awarded to the lowest responsible bidder. The successful bidder must have employees who will perform activities on the project. If the contract is awarded to other than the low bidder, Guam must prepare a written statement explaining why each lower bidder was deemed non-responsible or nonresponsive. To be responsive, the bidder must have submitted a written Section 3 plan, if the contract equals or exceeds \$100,000. Following award of the contract, the contract documents and applicable bonding and insurance must be completed and executed. Contract documents include all the items contained in the bid package, as well as the executed contract, bid proposal, contractor certifications, and bond and insurance forms.

The Notice of Contract Award (LSE 7) Must Be Sent to The Department Within 10 Days of Award.

The Notice of Contract Award includes the project name and location, the number of the applicable wage determination, the name of the business awarded the contract, the contract amount, and the

name of the person identified by Guam as responsible for labor standards compliance. If there are multiple contracts with the grantee, a separate LSE7 must be submitted for each contractor.

Meet with Contractor

Prior to the start of construction, the grantee must meet with the principal contractor and all available subcontractors to instruct them on their responsibilities under the Labor Standards provisions. This meeting can take place at the preconstruction conference. Written documentation of the meeting must be placed in the file.

Below is a list, not all-inclusive, of items to be discussed at the preconstruction conference:

- Davis Bacon (including submission of weekly payrolls)
- Employee interviews, using the HUD-11 Form (Spanish or English)
- Posters for the job site including, but not limited to the Employee Rights Under the Davis-Bacon Act (WH1321), Job Safety and Health Protection (OSHA 3165), and Equal Opportunity Employment, other posters as required by the Department of Labor
- Copy of the wage determination and additional classification approvals, which MUST be posted at the job site
- Written contract(s) between prime contractor and all subcontractors
- Written contract(s) between subcontractors and subcontractors and any independent contractors

Additional Worker Classifications and Wage Rates

The preconstruction conference or similar meeting provides a time to review the wage determination to see if any additional classifications and wage rates will be required. If any wage classification(s) is not listed in the wage determination, and are to be used, an additional wage classification request (Attachment 11 and HUD 4230A) must be submitted to Guam.

The request is to include:

- 1) A letter from the awarded contractor stating what is paid hourly; generally, you will want to select the employee who is receiving the lowest wage rate for the classification being added (wages and bona fide fringe benefits) to the employees in the needed classifications (this work cannot be performed just in any classification in the wage determination)
- 2) A description of the work to be performed for each wage classification,
- 3) A statement on whether employees are union or non-union, and
- 4) Documentation that the interested parties and contractors, agree on the proposed classification and wage rate.

The request cannot involve wage rates for apprentices or trainees. Upon receipt of the information, Guam will issue a temporary additional wage classification. Guam will forward the information to DOL. Once the Department receives confirmation, the grantee will be notified. In the interim, the contractor and/or subcontractor(s) must continue to pay the employee the rate outlined in the request. If the DOL approval rate is higher than the recommended rate, the contractor must pay restitution to all workers impacted by the DOL approval.

Wage Rate Exceptions

Apprentices and trainees may work at less than prevailing wage rates only if they are registered in a bona fide apprenticeship program that has been approved by DOL. If you have apprentice(s) listed on the payroll, please review page 2-6 in Davis-Bacon Labor Standards: A Contractors Guide to Prevailing Wage Requirements for Federally Assisted Construction Projects. If apprentices are used on the job site, each apprentice is required to be registered for an U.S. DOL-approved apprenticeship program.

Notice to Proceed

Following execution of the contract documents and completion of the preconstruction conference, the grantee will issue a "Notice to Proceed" to each prime contractor to begin work. The Notice to Proceed must establish the construction start date, scheduled completion date, and the basis for assessing liquidated damages. The construction period and basis for assessing liquidated damages must be consistent with these sections of the contract documents.

Compliance/Monitoring/Payments

Citation

- Code of Federal Regulations 2 CFR 200.328. "Monitoring and reporting program performance," except paragraphs (b) through (D) and paragraph (f)
- Code of Federal Regulations 2 CFR 200.420 (allowable costs)
- Labor Standards Regulations (HUD 4010)
- Contract Work Hours and Safety Standards Act (CWHSSA)
- Davis-Bacon Act & Related Acts
- Copeland Act (Anti-Kickback)

Monitoring

Construction contracts are monitored to ensure compliance with technical specifications and federal standards. Grantees are to maintain adequate cost and budget controls and process necessary contract changes to bring the contract to completion.

Progress Procedures

Upon receiving the Notice to Proceed, the contractor must submit a cost breakdown showing the amount assigned to each portion of work. This breakdown is not required when per unit prices form the basis of payment under the contract. This breakdown must be reviewed by the grantee and architect/engineer and used as the basis for requests for payment. The breakdown should be submitted within ten days of the Notice of Proceed.

Payroll Verification

The grantee must obtain original signed weekly payrolls (no pencil) from all general contractor(s) and subcontractor(s) accompanied by the statement of compliance (WH347). Payrolls should be submitted within seven working days of the end date on the payroll form. Local labor compliance officer responsibilities (as outlined in HUD Handbook 1344-1, Rev. 2):

- 1) Review payrolls against the wage determination for the project; request correction of any errors that may be encountered

- 2) Ensure correct wage classification and wage rates are being used
- 3) Ensure proper payment of overtime compensated at one and one-half times the basic rate of pay or current rate of pay if it is higher than the Davis-Bacon Rate + Standard Hourly Fringe Benefit.
- 4) Review deductions for non-permissible deductions
- 5) Ensure that the ratio of laborers to mechanics is in sync
- 6) Statement of compliance is signed by the owner or a documented owner approved official of the company
- 7) Ensure contractor is paying weekly
- 8) Ensure payrolls are being provided weekly
- 9) Local labor compliance officer should initial for verification
- 10) Ensure original payrolls (with original signatures) are on file
- 11) Ensure compliance with the DBRA Checklist

The checklist for payroll review, based on DBRA, is included in the attachments at the end of this chapter. This should be used to check compliance on each payroll.

Clarification Concerning Laborers/Mechanics

The local labor compliance officer should be cognizant of the number of laborers reported on a payroll. If there is a high ratio of laborers on the payroll(s) and you have not visited the job site, you should visit the site to verify that the laborers are classified correctly. It is also advisable to be cognizant of a high ratio of a mechanic classification. Request list of duties for workers and if warranted ensure workers are reclassified and restitution is paid.

Clarification Concerning Payroll Deductions

When reviewing submitted payrolls it is important to look at the type of deductions. If there are deductions for either miscellaneous or other categories, these categories must be explained on the Statement of Compliance form. If the deductions do not fall into the categories listed below, there should be a written, dated authorization letter signed by the employee stating what the deduction is for and the amount of the deduction.

The following information can be found on page 2-11 of the Davis-Bacon Labor Standards: A Contractor's Guide to Prevailing Wage Requirements for Federally-Assisted Construction Projects:

g. Deductions - Show the amounts of any deductions from the gross earnings. "Other" deductions should be identified (for example, Savings Account or Loan Repayment). Any voluntary deduction (that is, not required by law or by an order of a proper authority) must be authorized in writing and dated by the employee or provided for in a collective bargaining (union) agreement. A written letter dated and signed

by the employee is required and must accompany the first payroll on which the 'other' deduction appears. Only one employee authorization is needed for recurring (e.g., weekly) other deductions. Written employee authorization is not required for income tax and Social Security deductions.

The following is quoted from 29 CFR 3.5

d) Any deduction constituting a contribution on behalf of the person employed to funds established by the employer or representatives of employees, or both, for the purpose of providing either from principal or income, or both, medical or hospital care, pensions or annuities on retirement, death benefits, compensation for injuries, illness, accidents, sickness, or disability, or for insurance to provide any of the foregoing, or unemployment benefits, vacation pay, savings accounts, or similar payments for the benefit of employees, their families and dependents: Provided, however, that the following standards are met: (1) The deduction is not otherwise prohibited by law; (2) It is either: (i) Voluntarily consented to by the employee in writing and in advance of the period in which the work is to be done and such consent is not a condition either for the obtaining of or for the continuation of employment, or (ii) provided for in a bona fide collective bargaining agreement between the contractor or subcontractor and representatives of its employees.

Payroll Verification Submitted to the Department

The grantee must submit a copy of the first, third, and fifth (1,3,5) completed payroll forms from each contractor and subcontractor to the Department. Any discrepancies must be reported to the contractor and the Department, along with the steps taken or being taken to resolve discrepancies. These discrepancies should either be resolved or in the process of being resolved before the payrolls are submitted to the Department. Failure to provide corrected payrolls can result in payment being withheld from contractor/subcontractor.

On-Site Visits/Interviews

Site visits should be made to confirm that all required posters, the correct wage determination(s) and additional wage classifications and wage rates, are prominently posted and accessible to all employees at the job site. In addition, a site visit provides the opportunity to observe the employee performing the wage classification listed for that specific time period and conduct on-site interviews. HUD-11,

Record of Employee Interview is to be used for all interviews.

The Department encourages the labor compliance officer or another appropriate person to visit the construction site a minimum of three (3) times to verify that the posters and wage determination(s) are posted and to conduct the employee interviews. Documentation must be provided to reflect the appropriate display of all posters and wage determinations. All information received from the on-site interviews must be compared to the information contained in the applicable contractor's payrolls. The reviewer must sign and date the interview form for proper verification of review. The Labor Standards Compliance Officers in the field will complete the Department's Davis Bacon & its Related Acts checklist for every payroll they review. Original forms will be retained in the grantee file and copies of the checklist for payroll(s) 1, 3, & 5 and others upon specific request will be submitted to the Department.

Construction Management

During construction, Guam is responsible for construction management. This may be done by the architect/engineer, and if so, should be included in the scope of services identified in the professional services contract. Construction management must include inspection and general supervision of

construction, in order to check the contractor's work for compliance with the drawings and specifications and quantity and quality control. Written inspection reports must accompany the contractor's requests for partial payment.

- General Supervision must include monitoring construction to alert the grantee as to need for adjustments in design as dictated by actual field conditions and the preparation of contract amendments affecting alignment, detail, or dimensions shown on drawings.
- Quality Control must include quality tests as necessary to verify conformity with technical specifications concerning minimum quality requirements.
- Quantity Control must include verification of in-place quantities and other records reflecting the as-built facility.
- Certification of Pay Estimates - Inspection reports, copies of field measurement notes, and test results used to verify contractor's periodic pay estimate for partial payment should be attached to and filed with the periodic estimate for partial payment.
- General construction management may include other responsibilities, not limited to providing horizontal and vertical control in the form of benchmarks and baselines to be used by the contractor in staking the construction, reviewing and approving of shop drawings, and coordinating the project.

Payment Procedures

On completion of agreed upon quantities of work, the contractor may submit to the grantee, requests for partial or progress payments. Written inspection reports must accompany the contractor's requests for partial payment. Inspection reports, copies of field measurement notes, and test results used to verify contractor's periodic pay estimate for partial payment should be attached to and filed with the periodic estimate for partial payment. On receipt of Certificates for Partial Payment and necessary documentation, the grantee must check Equal Opportunity and Labor Standards compliance files to ensure that all payrolls have been received and checked and any necessary restitution paid and that employee interviews (Form HUD-11) have been conducted and all discrepancies corrected. The grantee may then pay the contractor the amount requested, or up to 90% of the amount requested, depending on contract (the 10% would be retained until final completion and acceptance of the work; except, that if upon completion of 50 percent of the work, the Contracting Officer, after consulting with the Architect, determines that the Contractor's performance and progress are satisfactory, GHURA may make the remaining payments in full for the work subsequently completed. If the Contracting Officer subsequently determines that the Contractor's performance and progress are unsatisfactory, the PHA shall reinstate the ten (10) percent retainage until such time as the Contracting Officer determines that performance and progress are satisfactory).

Change Orders

The construction inspector and/or architect/engineer must prepare change orders. Change orders are generally permissible under state law. The cumulative cost of all such orders should not exceed 25 percent of the original contract price and these changes are not to constitute a major alteration of the original scope of work. Each change order must be accompanied by a supporting statement that describes why the change is necessary, cost estimates, and any needed plans and specifications. The

grantee must approve and authorize change orders before they are given to the contractor. Change orders should be kept to an absolute minimum.

Acceptance of Work

Before final payment approval, the contractor must complete the conditions in the bid contracts. The contract may request an acceptance of work from the grantee that indicates the work has been completed according to the contract. Guam must place the acceptance of work in the contract file. Change orders and receipts for project payments must be filed. The files must be reviewed by Guam for completeness before the acceptance of work form is approved. The contractor must file an as-built plan with the grantee to receive project approval. Guam can then issue an acceptance of work and final payment less any funds retained after the contractor has completed the project and files are complete. The contractor should file the acceptance of work from Guam at the designated location. Guam should require the contractor to submit lien waivers from all subcontractors, if any. The lien waivers must be submitted from the materials and labor subcontractor to the contractor prior to filing an acceptance of work form. The subcontract lien waivers must be placed in the grantee's contract files after the filing of the acceptance and upon submission of a clean lien certificate by the contractor; the grantee may release the retained funds to the contractor. If any claims or liens remain, the grantee must take appropriate action for disposition of retained funds and all claims against the bonds in accordance with state law. A completion of the project, the grantee must also prepare and submit to the Department a final Wage Compliance report (LSE 9).

Project Closeout

The Department will not sign-off or approve project closure if the project has outstanding labor issues. It must be ensured that the grantee/sub-recipient has all payrolls, restitution payments, HUD bills and/or discrepancies resolved prior to close out of any CDBG project.

Complaints

Complaints for violations of labor standards that occur on the prevailing wage job sites of any projects should be documented in an interview with the worker who has suffered the violation being documented. The HUD-4731 Complaint Intake Form, which is filled out by the labor compliance officer or the grant administrator, is to accompany the interview that cites the violation. The complaint will then be reviewed by Guam and by HUD. This information should be sent by the grant administrator to the program representative from Guam. The worker's option to file a complaint should be made publicly known on the job site, in the area where the wage determinations have been posted. The contact information of the grant administrator and the labor compliance officer should also be made easily accessible, in the event that workers may have labor standards related questions.

HOME - HOMEBUYER REQUIREMENTS

Each HOME-assisted homebuyer unit must be sold to a homebuyer household that qualifies under the income limits in effect, and the housing must serve as the household's principle residency throughout the affordability period. See **Appendix D** for affordability period requirements. In addition, the following requirements apply:

1. Homebuyer Counseling

The recipient must ensure that any homebuyer purchasing HOME-assisted housing receives homebuyer counseling.

2. Ineligible Fees

The recipient may not charge servicing, origination, processing, inspection, or other fees for the costs of providing homeownership program assistance.

3. Conversion of Unsold Homebuyer Units to Rental Housing

If there is no ratified sales contract with an eligible homebuyer within nine (9) months of the completion of construction or rehabilitation (meaning all necessary title transfer requirements and construction work have been performed and the housing unit complies with the property standards as evidenced by a final inspection), then the unit must be converted into a HOME-assisted rental unit subject to all compliance requirements of HOME-assisted rental housing in accordance with 24 CFR 92.252.

HOME - IDENTIFYING HOME-ASSISTED UNITS

HOME funded projects must also include a Maximum Per-unit Subsidy Amount and Subsidy Layering according to 24 CFR part 92.205 and 92.250 as described below. See Appendix E for the Calculating Maximum Home Subsidy Worksheet.

Minimum amount of assistance: The minimum amount of HOME funds that must be invested in a project involving rental housing or homeownership is \$1,000 times the number of HOME assisted units in the project.

Maximum per-unit subsidy amount: The total amount of HOME funds that a participating jurisdiction may invest on a per-unit basis in affordable housing may not exceed the per-unit dollar limitations established under section 221(d)(3)(ii) of the National Housing Act (12 U.S.C. 17151(d)(3)(ii)) for elevator-type projects that apply to the area in which the housing is located. These limits are available from the Multifamily Division in the HUD Field Office. If the participating jurisdiction's per-unit subsidy amount has already been increased to 210% as permitted under section 221(d)(3)(ii) of the National Housing Act, upon request to the Field Office, HUD will allow the per-unit subsidy amount to be increased on a program-wide basis to an amount, up to 240% of the original per unit limits. These limits are available from the Honolulu HUD Field Office. Guam will keep the results of its required evaluation in each project file.

Allocating Costs: HOME funds may be used to assist one or more housing units in a multi-unit project. Only the actual HOME eligible development costs of the assisted units may be charged to the HOME program. If the assisted and non-assisted units are not comparable, the actual costs may be determined based on a method of cost allocation. If the assisted and non-assisted units are comparable in terms of size, features and number of bedrooms, the actual cost of the HOME-assisted units can be determined by pro-rating the total HOME eligible development costs of the project so that the proportion of the total development costs charged to the HOME program does not exceed the proportion of the HOME-assisted units in the project. Costs included in the budget are used for allocating costs.

LOAN FUNDING TERMS

Guam provides a variety of loans for different CDBG and HOME funded projects and programs.

- The loan shall be secured by a Promissory Note and/or Deed of Trust.
- Loan terms are finalized at time of project negotiation.
- Loan amounts are based on project budget and capacity for debt.

Loan Servicing and Delinquent Payments

Guam services all loans and informs CDBG and HOME staff of any delinquent payments. Guam staff will work with property owners regarding rectifying any delinquency. If necessary legal remedies will be pursued. Deferred Payment Loans are available to borrowers who are utilizing the Housing Rehabilitation Loan Program and have a household income of less than 80% of area median income. There are no pre-payment penalties. This loan has a 3% simple interest calculation added and is defined as 3% of the total balance. The Deferred Payment Loan is due and payable when one or more of the following occurs:

- a change in property ownership,
- refinance
- termination of owner occupancy

Please note: If an application for a loan is denied, the applicant must wait one year from the date of denial before submitting another application for the Housing Rehabilitation Program.

Forgivable Loans are loans that can be forgiven or deferred for a period of time if the borrower is in compliance with the terms and conditions of the loan. This type of loan is used for projects that serve the whole community but do not generate income.

Non-Profit Agency Loans are available to sub-recipients and developers approved for CDBG and HOME funding. Loans are negotiated at time of contract with general terms are generally at 1-3% with a 5-20 year amortization. Repayments are always expected on income producing properties.

Share Equity/Principal Reduction Loans were available to first time homebuyers through an approved program and require annual certifications that verify primary residency, current insurance, and property taxes are current. Upon property transfer or refinance the loan payoff is calculated using a method outlined in the homebuyer section which includes payoff of the original amount plus a share of the equity.

Façade Improvement Loans are available to commercial property owners. Each project is reviewed for eligibility and vetted for neighborhood/citizen benefit. The loans are in the form of ½ grant – ½ loan at three percent (3%) interest and the term of the loan is negotiated at time of loan closing.

RENTAL PROJECTS - INCOME AND RENT

Agencies providing rental housing must follow the rent and income guidelines.

Approval of Rent and Utility Allowance:

1. Agency is provided a copy of the most recent HOME rent limits and a link to the GHURA utility allowances at time of application and in the contract for the period of affordability.
2. The contract instructs agency that formal approval for rents and utility allowance must occur prior to

rental agreements being negotiated.

3. Prior to completion of construction, GHURA staff will meet with agency staff to review HOME rental and income limits and proposed leasing and tenant selection information.
4. Sub-recipient submits income and rent schedule to GHURA for approval prior to leasing.
5. Guam will notify Sub-recipient each time the income and rent limits are updated by HUD.
6. Upon receipt of new published income and rent limits, Guam will submit current income and rent schedule to city for approval.

Rent Limits:

1. In accordance with 24 CFR 92.252 projects with one to four HOME-assisted units are required to have assisted unit rents not exceed the lesser of the Fair Market Rent or High HOME Rent.
2. Projects with five or more HOME-assisted units are required to have 20% of assisted unit rents not exceed the Low HOME Rent and 80% not exceed the lesser of the Fair Market Rent or High HOME Rent.
3. Rents include utilities and must be reduced for tenant paid utilities

Income Limits:

1. Participants shall have an annual income that is 60% of the area median income or less, using the most current HUD Income Limits;
2. Guam shall calculate participant gross income, adjusted income, and total tenant payment using the method found in 24 CFR Part 5, which is the method required for the HUD Section 8 program;
3. Guam shall collect income for new participants and review tenant income information for eligibility annually and provide a copy to GHURA annually.

Subsidies: Agency will not discriminate against potential tenants with rental subsidies.

Over Income Tenants:

Households whose incomes rise above 60% of the AMI shall pay a rent not greater than 30% of their income for housing provided a) the rent they pay does not exceed the Fair Market Rent (FMR) established by HUD and b) the amount they pay for rent is not less than the greater of their current rent or the monthly rent that was set in their prior year's lease agreement. Any resulting increase in rent is subject to the provisions of outstanding leases, and in any event, households shall be given not less than thirty days prior written notice of any increase.

Properties with Five or More HOME-Assisted Units:

1. For rental properties with five or more HOME-assisted units, at least 20 percent of the HOME-assisted rental units must be occupied by families who have annual gross incomes at or below 50 percent of area median income.
2. These units must be rented at no more than the Low HOME Rents. The remaining units can be rented at no more than the High HOME Rents.
3. Very low-income households may occupy High HOME Rent units and pay High HOME Rents.

Unit Designation:

The contracted agency will maintain the number of HOME units as defined in the contract and deed. Units will be designated as fixed or floating.

1. Fixed units remain the same throughout the period of affordability.
2. Floating units are designated to maintain conformity with the requirements during the period of affordability so that the total number of HOME designated units remains the same throughout the

period of affordability. Each floating HOME unit must be comparable in terms of size, features, and number of bedrooms to the originally designated HOME-assisted unit.

3. Tenant income must be monitored annually. If an over income tenant is residing in the floating unit, the next available unit must be rented to an income eligible tenant.

MONITORING RENTAL PROJECTS

Sub-recipients will be monitored throughout the period of affordability and may submit any reports required for tax credits as an enforcement tool.

- Sub-recipients must maintain documentation of tenant incomes and rents charged and submit to Guam annually
 - Physical inspection of units must be performed annually using the program-specific standard
 - Sub-recipients must submit information related to rent and income eligibility annually
 - Sub-recipients must provide annual financial reports for CDBG and HOME-funded projects
 - Tenant income must be reviewed annually
- 3.5.4 – RENTAL HOUSING REHABILITATION: An owner of rental housing that is using funds for rehabilitation must provide a list of tenants that are receiving TBRA prior to construction.

HOME - PERIOD OF AFFORDABILITY

HOME-assisted rental units carry rent and occupancy restrictions for varying lengths of time, known as the affordability period. The period of affordability begins upon project completion and is enforced by covenant or other legal conveyance between the sub-recipient and Guam. Low-income household homebuyer projects also carry a period of affordability which affects the terms of resale or recapture of the property, if sold during the affordability period. Affordability periods do not apply to homeowner rehabilitation or tenant-based rental assistance (TBRA) activities.

Agencies will be monitored throughout the period of affordability even as the funded project proceeds through closeout. Agencies must maintain documentation of tenant incomes and rents charged. See **APPENDIX D** for Affordability Chart.

Throughout the period of affordability, Guam will conduct onsite inspections of HOME- assisted multi-family rental housing. In addition to performing a physical inspection, information submitted by the owner, specifically related to rent and income eligibility will be reviewed annually.

HOME - TENANT LEASES

Agencies receiving HOME funds must enact specific tenant protections. Leases must be for not less than one year, unless by mutual agreement between the tenant and the owner. Leases may not contain any of the following provisions enumerated at 24 CFR 92.253:

1. Agreement by the tenant to be sued, to admit guilt, or to a judgment in favor of the owner in a lawsuit brought in connection with the lease;
2. Agreement by the tenant that the owner may take, hold, or sell personal property of household

members without notice to the tenant and a court decision on the rights of the parties. However, the owner may dispose of personal property left by a tenant in accordance with state law;

3. Agreement by the tenant not to hold the owner or the owner's agents legally responsible for any action or failure to act, whether intentional or negligent;
4. Agreement of the tenant that the owner may institute a lawsuit without notice to the tenant;
5. Agreement by the tenant that the owner may evict the tenant or household members without instituting a civil court proceeding in which the tenant has the opportunity to present a defense, or before a court decision on the rights of the parties;
6. Agreement by the tenant to waive any right to a trial by jury;
7. Agreement by the tenant to waive the tenant's right to appeal, or to otherwise challenge in court, a court decision in connection with the lease; and
8. Agreement by the tenant to pay attorney's fees or other legal costs even if the tenant wins in a court proceeding by the owner against the tenant. The tenant, however, may be obligated to pay costs if the tenant loses.

An owner may not terminate or refuse to renew the lease except for the following reasons:

- Serious or repeated violation of the terms and conditions of the lease
- Violation of applicable federal, state, or local law
- Completion of the tenancy period for transitional housing
- Good cause to terminate or refuse to renew tenancy, the owner must serve written notice specifying the grounds for the action at least 30 days before the termination of tenancy.

An owner of rental housing must adopt written tenant selection policies and criteria that:

- Are consistent with the purpose of providing housing for very low-income and low-income families;
- Are reasonably related to program eligibility and the applicants' ability to perform the obligations of the lease;
- Provide for the selection of tenants from a written waiting list in the chronological order of their application, insofar as is practicable; and
- Give prompt written notification to any rejected applicant of the grounds for any rejection.

HOME - HOUSING DEVELOPMENT UNDERWRITING PARAMETERS

Underwriting criteria for project and operating budgets should be guided by criteria found in Appendix G.

ACQUISITION & RELOCATION

Uniform Relocation Assistance & Real Property Acquisition (49 CFR Part 24)

These regulations apply to any federally-assisted project involving acquisition, demolition or rehabilitation. Proposals for CDBG and HOME funded projects that are likely to cause displacement of people or businesses are discouraged. Any project that is likely to cause displacement must include

relocation assistance payments in the budget and be consistent with the federal Uniform Relocation Act. Projects which trigger this regulation must follow the Anti-displacement and Relocation Assistance Plan

Minimizing the Loss of Low and Very Low-Income Dwelling Units (24 CFR Part 42)

Any CDBG/HOME proposal that would directly result in any occupied or vacant occupiable low and very low-income dwelling units being (1) demolished, or (2) converted to a use other than as low and very low-income housing must include a realistic plan to provide replacement housing within three years of the commencement of the demolition or rehabilitation relating to conversion.

Projects that trigger this regulation must follow the Anti-displacement and Relocation Assistance Plan included in Appendix H/Bremerton.

MONITORING OVERVIEW

Monitoring is an ongoing process. Reviews begin as part of the pre-award selection process and continue throughout the contracting period. In some situations, monitoring will continue beyond the contract period, as a requirement of a major acquisition or construction project. Monitoring includes a review of records, files and signed assurances, as well as reports generated specifically to document client and project eligibility. All supporting documentation, such as information submitted with cost reimbursement requests is reviewed, as a component of monitoring. During the contract period, a site visit may be scheduled. By signing the contract, the sub-recipient or beneficiary agrees that Guam has the right to examine or copy, not only the fiscal components of the organization, but also all other aspects of an agency and its activities. Guam is available to offer any necessary technical assistance to avoid or resolve any monitoring findings. HUD staff has the authority to visit any local CDBG or HOME project to check compliance with federal regulations.

AUDIT REQUIREMENT

Guam's fiscal year runs from October 1 –September 30. The Office of Management and Budget (OMB) Circular A-133 – Audits of States, Local Governments, and Non-Profit Organizations and OMB Circular A-133 Compliance Supplement and the **State** Single Audit Guidelines require major state programs (awards over \$100,000) and federal programs (awards over \$500,000) to complete a single audit. The necessary amount for fulfilling these requirements will be identified by GHURA's independent auditors. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award. Cost allocations will be associated with the most current Cost Allocation Schedule adopted by Guam.

FAIR HOUSING

Federal law prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance through a number of statutes, regulations, and executive orders. This applies to the sale, rental, and financing of dwellings, and in other housing-related transactions, as well as the accessibility and usability by persons with disabilities.

Fair Housing Plan

1. Guam is committed to Affirmatively Furthering Fair Housing (AFFH) in all aspects of its operations.
2. Guam will further affirm fair housing by ensuring projects using CDGB funds will conform to HUD AFFH regulations and applicable federal and local laws.
3. Guam requires all owners, developers and sub-recipients to comply with fair housing practices.
4. Guam requires the utilization of affirmative fair housing marketing practices in soliciting renters or buyers, determining their eligibility, and completing all transactions. All owners, developers, and sub-recipients must comply with the following requirements for the duration of the applicable compliance period.

General Procedures

- a. Maintain policies and procedures, operating guides/manuals, standards, and records as required by HUD.
- b. Placement of the Fair Housing policy on the GHURA website.
- c. Provide technical assistance through training and written information to owners, developers and sub-recipients of CDBG housing funds on an as-needed basis.
- d. Require owners, developers and sub-recipients to maintain documentation relating to eligibility, outreach and outcomes.
- e. Guam will perform onsite monitoring visits on a regular basis, least once a year, to ensure compliance of owners, developers and sub-recipients with HUD's goals and regulations.
- f. Guam will provide fair housing services and will work diligently to resolve complaints and increase education on fair housing trends and issues.

Procedure for Compliance with Assessment of Fair Housing

1. Use creative strategies to target and reach out to segments of the eligible population who are least likely to apply for housing without special outreach efforts.
2. The Equal Housing Opportunity logo or slogan must be used in all signs, ads, brochures and written communications. Advertising media may include, but is not limited to, any local newspaper, radio, television station, social media outlet, website, brochures, leaflets, bulletin boards, and signage.
3. The HUD fair housing poster must be posted in all rental offices and where potential tenants may likely come to apply for housing.
4. Owners, developers and sub-recipients must post a sign in a conspicuous position on all project sites that prominently displays the HUD approved Equal Housing Opportunity logo, slogan, or statement.
5. Develop an outreach outline that shows the special measures designed to attract those groups identified as least likely to apply and other efforts designed to attract persons from the targeted eligible populations.
6. Evaluate outcomes used to measure the success of the outreach program and ensure the compliance of all Fair Housing requirements.
7. Train staff, where applicable, to demonstrate effective delivery of information on Fair Housing laws and objectives to the target markets served by the owners, developers and sub-recipients.

Affirmative Fair Housing Marketing

1. Guam shall establish and maintain an Affirmative Fair Housing Marketing (AFHM) Plan as required.
2. Guam shall require all developers and/or owners of rental property assisted with CDBG or HOME funds to adopt and follow the AFHM Plan.

Procedure for Affirmative Fair Housing Marketing Plan

1. Owners must complete Form HUD 935-2A for multifamily projects or Form HUD 935-2B for single family projects.
2. Guam must submit the AFHM Plan to the Board of Commissioners for approval.
3. The approved AFHM Plan must remain on file through the duration of the project.

Analysis of Impediments to Fair Housing Choice or Affirmative Fair Housing Assessment

In accordance with the Fair Housing Act, Guam must administer all CDBG programs and activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act. As part of the certification to affirmatively further fair housing that Guam is required to submit with its consolidated plan, Guam must complete an Analysis of Impediments to Fair Housing Choice (AI) or an Affirmative Fair Housing Assessment (AFHA) and to take actions to overcome the effects of any impediments identified through the AI or AFHA analysis.

The broad objectives of AFFH are to:

1. Analyze and eliminate housing discrimination in the jurisdiction;
2. Promote fair housing choice for all persons;
3. Provide opportunities for racially and ethnically inclusive patterns of housing occupancy;
4. Promote housing that is physically accessible to, and usable by, all persons, particularly persons with disabilities; and
5. Foster compliance with the nondiscrimination provisions of the Fair Housing Act.

IDIS DRAWS

IDIS draws will be completed at least quarterly, but most preferably monthly for expenditures incurred in the prior month. The process for drawdown of funds in HUD's IDIS system is as follows:

1. Sub-recipients and vendors submit payment requests/invoices to the Accountant I for initial review for eligibility, accuracy, and completeness. For payment requests from contractors, the Wage Compliance Officer performs a compliance review prior to submission to the Accountant I.
2. The General Accounting Supervisor performs a secondary review and forwards to the Accounting Technician II to enter into the CPD's accounting system.
3. The Accountant I performs an initial review and the General Accounting Supervisor performs a secondary review of the accounting entries. The Accountant I prepares a detailed listing of payables to be included in the drawdown of funds.
4. General Accounting Supervisor reviews the detailed listing for accuracy and completeness prior to drawdown of funds.
5. Drawdown of funds is performed in HUD's IDIS system. The Accountant I creates the drawdown voucher and the General Accounting Supervisor approves the IDIS voucher. Approved voucher forms are routed to the Chief Planner for final review. The relevant supporting documentation is compiled and routed to the Fiscal Office for processing of payments to vendors, sub-recipients, and contractors.
6. The supporting documentation is filed according to vendor in a secured filing cabinet. Copies of supporting documentation are also scanned and saved electronically in the network drives.

EQUIPMENT ACQUISITION AND DISPOSITION

Disposition of real property is governed by 24 CFR 85.31(c). When real property is no longer needed for the authorized purpose, there are three alternatives available to the grantee. First, the grantee may retain title after compensating GHURA. The amount to be paid to GHURA is calculated by applying the CDBG percentage of participation in the cost of the original purchase to the fair market value of the property. Second, the grantee may sell the property and compensate GHURA. The compensation to GHURA in this instance is calculated by applying the CDBG percentage of participation in the cost of the original purchase to the proceeds of the sale after deduction of any actual and reasonable selling and repair expenses. Third, the sub-recipient may transfer title to GHURA or to a third-party designated approved by Guam. In this case, the grantee would be compensated with an amount calculated by applying the grantee's percentage of participation in the purchase of the property to the current fair market value.

Disposition of equipment is governed by 24 CFR Part 85.32(e). When original or replacement equipment acquired under a grant is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency, disposition of the equipment falls into one of two categories: 1) Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold, or otherwise disposed of with no further obligation to the Department; 2) Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and GHURA shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the CDBG percentage of the equipment. If the sub-recipient fails to take appropriate disposition actions, Guam may direct the sub-recipient to take excess and disposition actions.

RECORD RETENTION

Record retention requirements are governed by 24 CFR 570.506. Guam will fully document compliance with all applicable regulations. This is accomplished through maintaining records and submitting reports. Guam will maintain a filing system that will provide a historic, chronological account of all project activities for examination and review by federal, state and local staff. The United States Department of Housing and Urban Development (HUD) representatives, the Inspector General, the General Accounting Office, and the Comptroller General of the United States must have access to any pertinent financial files, books, records, accounts, documents, papers, and other property belonging to the community that pertains to the grant. Files should, to the extent possible, be maintained in a central location.

All CDBG files must be maintained for a minimum of five (5) years after the final financial status report has been submitted for the grant.

CONFLICT OF INTEREST

As a general rule no employee, officer or agent of the grantee will participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when: the employee, officer or agent; any member of their immediate family; their partner; or an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The grantee's officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary

value from contractors, potential contractors, or parties to sub- agreements, during office tenure or for one year after the closeout of the grant. See **APPENDIX I** for GHURA's Conflict of Interest Policy.

LAWS AND REGULATIONS

Following is a list of federal laws, executive orders and state statutes applicable in part or in whole to the CDBG program. This list may not be all-inclusive. In the event of any discrepancy or regulation which follows the publication date of the manual, the federal law, executive order or state statute shall prevail.

GENERAL Title 1 of the Housing and Community Development Act of 1974, as amended: 24 CFR Part 570, Subpart I, Community Development Block Grant: State Program Regulations

ENVIRONMENTAL

- National Environmental Policies Act of 1970, as amended
- National Historic Preservation Act of 1966, as amended, Section 106
- Executive Order 11593, Protection and Enhancement of the Cultural Environment
- The Reservoir Salvage Act of 1960, as amended by the Archeological and Historic Preservation Act of 1974
- Flood Disaster Protect Act of 1973, as amended
- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands
- Safe Drinking Water Act of 1974, as amended
- Endangered Species Act of 1973, as amended
- Wild and Scenic Rivers Act of 1968, as amended
- Clean Air Act, as amended
- Clean Water Act
- Solid Waste Disposal Act, as amended
- Farmland Protection Policy Act of 1981
- Executive Order 12895 – Federal Actions to Address Environmental Justice
- Executive Order 12898 – Justice in Minority Populations and Low-Income Populations

FINANCIAL MANAGEMENT

- 24 CFR Part 85, The Common Rule
- OMB Circular A-96
- OMB Circular A-87, Cost Principles
- OMB Circular A-102
- OMB Circular A-133 (Revised June 30, 1997), Audits Management
- Section 3 of Housing and Urban Development Act of 1968, as amended
- 24 CFR Part 58, Article 3

LABOR STANDARDS

- Contract Work Hours and Safety Standards Act
- Davis-Bacon Act
- Copeland "Anti-Kickback" Act

- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1987, as amended (49 CFR Part 24)

- Truth in Lending Act
- Title I Consumer Protection Act
- Lead-Based Paint Poisoning Prevention Act
- Architectural Barriers Act of 1970 (41 CFR Part 101-107)
- Federal Non-Discrimination
- Davis Bacon Act (Rehabilitation of 8 or more units in a single structure)
- National Historic Preservation Act CIVIL RIGHTS
- Title VI – Civil Rights Act of 1964
- Title VII – Civil Rights Act of 1968
- Title VIII – Civil Rights Act of 1968, as amended
- Section 109 of the Housing and Community Development Act of 1974, as amended
- Section 504 of the Rehabilitation Act of 1973, as amended
- Executive Order 11246 – Equal Employment Opportunity, as amended by Executive Order 12259
- Equal Employment Act of 1972
- Age Discrimination Act of 1975, as amended
- Executive Order 12432 – National Priority to Develop Minority- and Women-Owned Businesses
- Executive Order 12138 – National Women's Business Enterprise Policy
- Executive Order 11625 – Minority Business Participation
- Executive Order 12892 – Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing
- Vietnam Era Veterans' Readjustment Assistance Act of 1974
- Immigration Reform and Control Act of 1986
- Fair Housing Amendment Act of 1998
- Americans with Disabilities Act of 1990
- Civil Rights Restoration Act of 1988

APPENDICES

Appendix A: Citizen Participation Plan

Appendix B: Required Certifications

1. **ANTI-LOBBYING** In accordance with federal regulations, all agencies, including subcontractors, must sign and submit an anti-lobbying certification to certify that they have not used federal funding to lobby a position. In addition, agencies must disclose the use of any other money used for such purpose by completing the OMB form SF-LLL. When an organization seeks reimbursement for indirect costs, total lobbying costs shall be separately identified in the indirect cost rate proposal, and thereafter treated as other unallowable activity costs. Agencies are also required to include an anti-lobbying clause in all of their contractual arrangements connected to the CDBG or HOME

project.

2. **CERTIFICATION OF DEBARMENT** Agencies must certify that neither the agency, nor its principals, officers, employees and subcontractors are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency. In addition, agencies agree that they will not knowingly hire or enter into contract with any subcontractor who is debarred, suspended, declared ineligible, or voluntarily excluded from participation, unless authorized by GHURA. Agencies are required to include such a clause in all of their contractual arrangements with respect to this federally funded activity and maintain evidence of compliance in personnel files or with the subcontractor's documents. Agencies are required to verify that a vendor is not on the federal government list of debarred vendors by visiting the following website: <http://www.sam.gov>. Verification must be included in the file.
3. **CONFLICT OF INTEREST** Federal regulations require recipients of federal funds to comply with conflict-of-interest provisions. In general, no person, nor their family or business partners, who may exercise any function with respect to a federally funded activity may obtain a personal or financial benefit from the activity during their tenure and for one year after. In addition, any potential conflict of interest on the part of the applicant or its employees must be disclosed to Guam.
4. **DRUG-FREE WORKPLACE** Participation in these grant programs requires that sub-recipients adopt their own policy to ensure a drug-free workplace. Specifically, agencies must make a good faith effort to maintain a drug-free workplace by:
 - Publishing a drug-free workplace statement that is given to each employee who will be engaged in the performance of any federal award and which:
 1. Informs employees that the manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the agency workplace;
 2. Specifies the actions that the agency will take against employees for violating that prohibition; and
 3. Informs employees that as a condition of employment under any award, he or she will abide by the terms of the statement and must notify the agency in writing if he or she is convicted for a violation of a criminal drug statute occurring in the workplace and must do so no more than five calendar days after the conviction.
 - Establishing a drug-free awareness program for agency employees about:
 1. The dangers of drug abuse in the workplace;
 2. The policy the agency has of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 4. The penalties that the agency may impose upon them for drug abuse violations occurring in the workplace.
 - Taking action when an employee is found in violation of drug statutes governing the workplace
 1. Notify Guam in writing within 10 days of learning of the conviction. Include the employee's position title and identification number of the affected award.
 2. Take appropriate personnel action against the employee which may include termination or required participation in an approved rehabilitation program.

NONPARTICIPATION IN POLITICAL ACTIVITIES The applicant must agree that no funds provided, nor personnel employed under the contractual agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of the Hatch Act (USC Title V, Chapter 15).

Appendix C: Procurement Policy

Refer to GHURA Procurement Policy.

Appendix D: Affordability Period Requirements

| HOME Affordability and Program Compliance Periods | |
|---|------------------------------------|
| HOME Assistance per Unit or Buyer | Length of the Affordability Period |
| Less than \$15,000 | 5 years |
| \$15,000 - \$40,000 | 10 years |
| More than \$40,000 | 15 years |
| New construction of rental housing | 20 years |
| Refinancing of rental housing | 15 years |

Appendix E: Worksheet for Calculating Maximum Home Subsidy

Identifying HOME-Assisted Units & Calculating Maximum Home Subsidy Worksheet (attach from Vancouver)

Minimum amount of assistance: The minimum amount of HOME funds that must be invested in a project involving rental housing or homeownership is \$1,000 times the number of HOME assisted units in the project.

Maximum per-unit subsidy amount: The total amount of HOME funds that a participating jurisdiction may invest on a per-unit basis in affordable housing may not exceed the per-unit dollar limitations established under section 221(d)(3)(ii) of the National Housing Act (12 U.S.C. 17151(d)(3)(ii)) for elevator-type projects that apply to the area in which the housing is located. These limits are available from the Multifamily Division in the HUD Field Office. If the participating jurisdiction's per-unit subsidy amount has already been increased to 210% as permitted under section 221(d)(3)(ii) of the National Housing Act, upon request to the Field Office, HUD will allow the per-unit subsidy amount to be increased on a program-wide basis to an amount, up to 240% of the original per unit limits. These limits are available from the Honolulu HUD Field Office. Guam will keep the results of its required evaluation in

each project file.

Allocating Costs: HOME funds may be used to assist one or more housing units in a multi-unit project. Only the actual HOME eligible development costs of the assisted units may be charged to the HOME program. If the assisted and non-assisted units are not comparable, the actual costs may be determined based on a method of cost allocation. If the assisted and non-assisted units are comparable in terms of size, features and number of bedrooms, the actual cost of the HOME-assisted units can be determined by pro-rating the total HOME eligible development costs of the project so that the proportion of the total development costs charged to the HOME program does not exceed the proportion of the HOME-assisted units in the project. Costs included in the budget are used for allocating costs.

Appendix F: Affordability Period Requirements

| HOME Affordability and Program Compliance Periods | |
|---|------------------------------------|
| HOME Assistance per Unit or Buyer | Length of the Affordability Period |
| Less than \$15,000 | 5 years |
| \$15,000 - \$40,000 | 10 years |
| More than \$40,000 | 15 years |
| New construction of rental housing | 20 years |
| Refinancing of rental housing | 15 years |

Appendix G: Housing Development Underwriting Parameters

(Vancouver)

Underwriting criteria for project and operating budgets should be guided by the following criteria:

1. Housing Project Development Budgets

- Construction Contingency -- Minimums: 10% New Construction, 15% Rehabilitation
- Soft Cost Contingency – Maximum: 5% All Development
- The “Developer Fee” limits below are based on an average project in development and financing complexity. If the proposed Developer Fee for a sub-recipient project is higher than outlined, a rationale must be submitted in writing. The “Developer Fee” is defined as a percentage of the total project. The “Developer Fee” does not include contract cost for project development consultants.

| Total Units in Project | Percentage of Total Development Costs |
|------------------------|---------------------------------------|
| 1-20 | 12-17% |
| 21-35 | 12-15% |
| 36-60 | 10-15% |

61 and above

10-12%

2. Housing Operating Budgets

A. Revenue

- Vacancy rate should not be less than 5%.
- If project is restricted to a special population (HUD 811) or is senior housing (HUD 202), you may use a vacancy rate of not less than 4%.
- Non-HUD Capital Grant projects with less than 20 units should use 7.5% or higher vacancy rate to stress test the initial lease-up and long-term operations.

B. Operating Expenses

- Minimum inflation factor: 2%
- Replacement reserves (maintenance and repair)- a minimum of \$300 per year per unit for new construction; \$350 per year per unit for rehabilitation
- Operating reserve – 6 to 9 months of costs
- Project management fee – 7 to 12%.
- Property tax reduction: affordable housing projects and projects owned by nonprofit agencies are eligible for reduction and abatement of property taxes, your project should identify what form of property tax adjustment you anticipate.
- Resident Services: Up to \$300/year/unit affordable at 50% MFI or less
- Total operating expenses - 40% to 50% of gross revenue
- Debt Coverage Ratio (Net Operating Income ÷ Debt Service) – range 1.05 to 2.0
- HOME loan to value ratio - 50 percent or less
- Break-Even Point (gross income and other income ± operating expenses and debt service) ≤ 90%.

Appendix H: Anti-displacement and Relocation Assistance Plan

For more information, contact your HUD Relocation Specialists in the Regional Offices. See:

- Federal Register /Vol. 73, No. 142 /Wednesday, July 23, 2008 /Notices 42895 Section 104(d) of the Housing and Community Development Act of 1974, as amended
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended
- 24 CFR 42 Displacement, Relocation Assistance, and Real Property Acquisition for HUD and HUD-Assisted Programs
- 24 CFR 92.353 Displacement, Relocation, and Acquisition
- 24 CFR 570.606 Displacement, Relocation, Acquisition, and Replacement of Housing
- 49 CFR 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs
- 42 USC Chapter 44 Sec. 3537 (c) Prohibition of Lump-sum Payments

Appendix I: Conflict of Interest Policy

Refer to GHURA Conflict of Interest Policy.

Lead-Based Paint Policy

Continuum of Care Program Emergency Solutions Grant Program

Executive Director

Effective Date

1.0 Purpose:

The purpose of this policy is to establish procedures to eliminate as far as practicable lead-based paint hazards in housing occupied by families receiving tenant-based rental assistance. This assistance consists of tenant-based rental assistance under the Emergency Solutions Grant Program and the Continuum of Care Program, as applicable. *Tenant-based rental assistance* means rental assistance that is not attached to the structure.

This policy will address the requirements for compliance with lead-based paint hazards of 24 CFR Part 35 and related sections of 24 CFR Part 576 and 24 CFR Part 578.

2.0 Persons Affected:

Participant families or households that have one or more children of less than 6 years of age that are applying for ESG or CoC assistance for tenant-based rental assistance where the property is selected by the prospective renter and for which the property in question meets the definition of target housing. Selected properties include current occupied housing in the case of assistance for homeless prevention.

GHURA will act as the responsible party to conduct lead-based paint hazard inquiries and investigations.

3.0 Policy

3.1 This policy applies only to dwelling units occupied or to be occupied by families or households that have one or more children of less than 6 years of age, common areas servicing such dwelling units, and exterior painted surfaces associated with such dwelling units or common areas. Common areas servicing a dwelling unit include those areas through which residents pass to gain access to the unit and other areas frequented by resident children of less than 6 years of age, including on-site play areas and childcare facilities proposed for rent or lease under TBRA.

4.0 Definitions:

- a. *CoC* means the Continuum of Care Grant Program.
- b. *Designated party* means the Guam Housing and Urban Renewal Authority.
- c. *ESG* means the Emergency Solutions Grant Program.
- d. *GHURA or Guam Housing and Urban Renewal Authority* means the entity designated by the Governor of Guam to conduct the daily administrative duties of the ESG and CoC Grant Programs.
- e. *Grantee* means the Government of Guam as designated by HUD to receive ESG and CoC grant funds.
- f. *Lessee* means any entity that enters into an agreement to lease, rent, or sublease target housing, including but not limited to individuals, partnerships, corporations, trusts, government agencies, the public housing agency, and nonprofit organizations.
- g. *Lessor* means any entity that offers target housing for lease, rent, or sublease, including but not limited to individuals, partnerships, corporations, trusts, government agencies, the public housing agency, and nonprofit organizations.
- h. *Owner* means any entity that has legal title to target housing, including but not limited to individuals, partnerships, corporations, trusts, government agencies, the public housing agency, and nonprofit organizations, except where a mortgagee holds legal title to property serving as collateral for a mortgage loan, in which case the owner would be the mortgagor.
- i. *PJ or Participating Jurisdiction* means Government of Guam as designated by HUD to administer the HOME program grant.

- j. *Risk assessment* means an on-site investigation to determine and report the existence, nature, severity, and location of lead-based paint hazards in residential dwellings, including:
 - (1) Information gathering regarding the age and history of the housing and occupancy by children under age 6
 - (2) Visual inspection
 - (3) Limited wipe sampling or other environmental sampling techniques
 - (4) Other activity as may be appropriate
 - (5) Provision of a report explaining the results of the investigation.
- k. *SRO or Single-Room Occupancy housing* means a unit with basic living and sleeping accommodations that share either cooking or bathroom facilities in common with others.
- l. *Target housing* means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing) or any 0-bedroom dwelling.
- m. *Tenant-based rental assistance* means rental assistance that is not attached to the structure.
- n. *0-bedroom dwelling* means any residential dwelling in which the living area is not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory housing, military barracks, and rentals of individual rooms in residential dwellings.

5.0 Responsibilities

- 5.1 GHURA is the responsible party to ensure that LBP investigations are conducted for all programs and activities impacted by this policy.
 - 5.1.1 GHURA may conduct LBP inquiries, inspection, and assessment activities and arrange for LBP investigations.
 - 5.1.2 GHURA will ensure that program staff who conduct unit inquiries, inspection, and assessment activities receive adequate training.

6.0 Procedures

- 6.1 Target housing must be checked for lead in one of two ways, or both:
 - 6.1.1 A paint inspection which shows the lead content of every different type of painted surface in the home.
 - 6.1.2 A risk assessment which shows if there are any sources of serious lead exposure (such as peeling paint and lead dust). A risk assessment provides the owner or lessor with the necessary actions to take when addressing these hazards.
- 6.2 Means of inquiry to document property as pre or post 1978
 - 6.2.1 Owner interview to collect and document target housing unit as pre or post 1978. Such documentation may include a copy of the building permit, if one can be provided; a notarized declaration/affidavit by the homeowner(s) or contractor attesting to the completion date of the building's construction; and the age of the dwelling unit/property.
 - 6.2.2 Government agencies (Department of Public Works, Guam Revenue and Taxation) to collect information to document target housing unit as pre or post 1978. Such documentation may include information on first tax assessment of the property by its legal description, copy of approved occupancy permit.
- 6.3 Only a trained, certified professional is allowed to inspect a home for lead hazards. Only a certified lead abatement contractor is allowed to permanently remove lead hazards. Mitigation or abatement measures must be completed before program assistance can continue with the target housing unit. If the risk assessment does not reveal any lead-based paint hazards, the unit can be cleared for program consideration.
- 6.4 The following forms must be completed and documented for target housing.
 - 6.4.1 Lead Hazard Evaluation Notice
 - 6.4.2 Notice of Lead Hazard Reduction
- 6.5 The following are required activities to address lead-based paint:

- 6.5.1 Notification
 - 6.5.1.1 Lead Hazard Information Pamphlet—Occupants, owners, and purchasers must receive the EPA/HUD/Consumer Product Safety Commission (CPSC) lead hazard information pamphlet, or an EPA-approved equivalent.
 - 6.5.1.2 Disclosure—Owners or Lessors must provide renters or lessees with available information or knowledge regarding the presence of lead-based paint and lead-based paint hazards prior to renting or leasing a residence.
 - 6.5.1.3 Notice of Lead Hazard Evaluation or Presumption—Owners, lessors and prospective renters and lessees must be notified of the results of any lead hazard evaluation work or the presumption of lead-based paint or lead hazards prior to the extension of TBRA assistance.
- 6.5.2 Notice of Lead Hazard Reduction Activity— Owners, lessors and prospective renters and lessees must be notified of the results of any lead hazard reduction work prior to the extension of TBRA assistance.
- 6.5.3 Lead Hazard Evaluation—Evaluation methods include visual assessments, paint testing, and risk assessments.
- 6.5.4 Lead Hazard Reduction—Reduction methods described include paint stabilization, interim controls, standard treatments, and abatement.

7.0 Documents for Use

- 7.1 Risk Assessor will utilize forms and guidance dictated by HUD at https://www.hud.gov/program_offices/healthy_homes/2012_HUDGuidelines_Forms.

8.0 Revision History

- (1) July 2021

--- Nothing Follows ---

AMENDED AND RESTATED CITIZEN PARTICIPATION PLAN



Guam Housing and Urban Renewal Authority
117 Bien Venida Avenue, Sinajana, GU 96932
Revised August 2021

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CITIZEN PARTICIPATION PLAN

Introduction

Guam is committed to providing opportunities for its citizens to participate in an advisory role in the planning, implementation and assessment of its Consolidated Plan (ConPlan), the Annual Action Plan (AAP), the Consolidated Annual Performance Evaluation Report (CAPER), and the Assessment of Fair Housing (AFH). In order to encourage and support participation of citizens, Guam Housing and Urban Renewal Authority (GHURA) will provide adequate information, hold public forums and hearings, and give citizens the opportunity to comment on Guam's plan for implementation and assessment of federal funds. To be eligible to receive U.S. Housing and Urban Development funds, GHURA must adopt a Citizen Participation Plan, and the plan must be incorporated into noticing requirements as set forth by 24 CFR Part 91.105.

The Consolidated Plan identifies top priority community development needs for a five-year period. It describes the general over-arching community development needs of Guam and describes strategies for addressing these needs. ***The Annual Action Plan*** contains a description and budget for individual activities to be undertaken in each program year with funds made available through the U.S. Department of Housing and Urban Development ("HUD"). These funds come from the Community Development Block Grant (CDBG) Program, HOME Investment Partnership (HOME) Program, and the Emergency Solution Grant (ESG). ***The Consolidated Annual Performance Evaluation Report*** is the annual assessment of Guam's affordable housing and community development needs and market conditions. ***The Assessment of Fair Housing*** is an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals.

Citizen participation is essential for an effective and viable program. GHURA recognizes that exchange of information among citizens and government employees will allow for a stronger, more responsive housing and community development effort on Guam.

The Citizen Participation Plan and related documents will be made available for persons with disabilities and for non-English speaking persons. Interpreters for those with limited English proficiency will be made available to explain the Citizen Participation Plan, as well as provide summaries of basic information about the ConPlan, AAP, CAPER, and the AFH. This is subject to individuals requesting these services from GHURA and allotting a five-day notice to make the necessary arrangements.

Program Year and Funding Availability

Guam's program year runs from October 1 through September 30. The public is notified about the availability of the funding for CDBG, HOME and ESG projects in the same way documents for review are noticed. This includes publication in local news journals and websites.

HUD's Community and Planning Development agency (CPD) awards eligible communities a grant as an "entitlement" based upon factors such as population, poverty, overcrowding and substandard housing conditions on Guam. One of the main grants is the Community Development Block Grant (CDBG). The

following are the statutory goals of the CDBG Program: a) Provide decent, safe housing; b) Provide suitable living environments; and c) Increase economic opportunities.

Opportunities for Citizen Participation

The Citizen Participation Plan identifies opportunities for citizen engagement, describes how citizens will be notified of such opportunities, states how complaints related to the CPD programs will be addressed, and provides information on technical assistance available to help with preparing funding proposals.

All citizens, including low- and moderate-income persons, persons living in low- and moderate- income neighborhoods, minority populations, non-English speaking persons, persons with disabilities, homeless persons and residents of public and assisted housing developments are encouraged to participate in the development and review of the CPD programs.

The Citizen Participation Plan includes the following elements:

1. Identification of community needs during the preparation of the Five-Year Consolidated Plan
2. Technical Workshops and Outreach Meetings
3. Public Hearings
4. Access to Information
5. Comment Periods for the General Public
6. Substantial Amendments
7. Citizen Complaint Process
8. Assessment of Fair Housing/Analysis of Impediments to Fair Housing Choice
9. Displacement

1. Identifying Community Needs

HUD regulations require Guam to seek public input to identify community needs. Thus, Guam must consult with low-and-moderate income residents, the general public, local government agencies, businesses, and nongovernmental organizations that work in housing, and economic and community development in the formulation of the plans. Identifying community needs could be in the form of consultative meetings, surveys and questionnaires and focus groups.

To encourage community involvement, public hearings will be held on the draft versions of the reports and plans. Written public comments will also be accepted on the draft versions of the ConPlan, the AAP, CAPER, and AFH. If a substantial amendment is made to any final report, an additional public hearing will be held to obtain citizens' views on those changes. Such hearings will be noticed in advance in news journals of general circulation and on the GHURA website.

2. Technical Workshops and Outreach Meetings

Each year, GHURA conducts at least one technical briefing prior to the due date for funding proposals. The briefing is open to the public, and the specific time and location is published in the local newspaper. The briefing is intended to assist prospective applicants for funding with the application process.

Additionally, GHURA staff will provide technical assistance to organizations, government agencies and residents seeking additional information. All potential applicants for funding are encouraged to contact GHURA staff for technical assistance before completing an application.

3. Public Hearings

GHURA will conduct separate public hearings to gather input on the Annual Action Plan, ConPlan, Substantial Amendments, CAPER, and AFH. All public hearings will be held at accessible locations, and provisions will be made for people with disabilities when requests are made at least five working days prior to a hearing. Similarly, interpreters will be made available for individuals with limited English proficiency upon request at least five working days ahead of a hearing.

The hearings will be scheduled after the public has had time to review the documents during the review and comment period. All hearings will be publicly noticed in a local newspaper of general circulation. GHURA will give careful consideration to all comments and views expressed by the public, whether given as oral testimony at the public hearing or submitted in writing. Citizen comments will be included in the reports, as well as explanations as to why any comments were not accepted. Public comments will continue to be accepted for a limited time after a public hearing is held.

Exception: Due to COVID-19, HUD determined if national/local health authorities recommend social distancing and limiting public gatherings for public health reasons, in-person public hearings are not required. GHURA will have the option to hold virtual meetings if virtual hearings provide reasonable notification and access for citizens, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

4. Access to Information

As required by law, GHURA will provide the public with reasonable and timely access to information and public records relating to the data or content of the Annual Action Plan, ConPlan, CAPER, and the AFH. GHURA will also provide the public with reasonable and timely access to proposed, actual and past use of funds covered by the Citizen Participation Plan. It should be noted that the law requires reasonable access to records about any uses of these funds from the previous five years. Finally, GHURA will provide the public with reasonable and timely access to local meetings relating to the proposed use of funds such as Board Meetings.

All documents referenced in this Plan will be made available to the public for review and comment through the following means:

- Posted to GHURA's web page: www.ghura.org;

- Available for review at the GHURA Main Office at 117 Bien Venida Avenue, Sinajana, Guam 96910;
- Mailed to interested parties upon request; and
- Provided at public hearings.

5. Comment Periods for the General Public

The general public will be provided an opportunity to submit comments orally or in writing at the public hearings. Written comments pertaining to the AAP, CAPER, AFH, Five-Year ConPlan and substantial amendments also will be accepted during the designated review and comment periods. GHURA will publish a summary of the plans in the local newspaper of general circulation identifying the date and time for written comments to be submitted and the address where comments will be received. GHURA will also make hardcopies of the reports available at their main office, and digital copies available online via the GHURA website.

Except for records exempt from disclosure under the Freedom of Information Act, the public will have reasonable and timely access to public records including the following:

- | | |
|---------------------------------------|---|
| 1. <i>Five-Year Consolidated Plan</i> | 4. <i>Substantial Amendments, if applicable</i> |
| 2. <i>Annual Action Plan</i> | 5. <i>Assessment of Fair Housing</i> |
| 3. <i>CAPER</i> | 6. <i>Citizen Participation Plan</i> |

Upon request by the general public or other interested parties, GHURA may have up to two business days to obtain such public records for review by the requesting party at no cost. These materials will be available in a form accessible to persons with disabilities when requested.

6. Substantial Amendments

The Citizen Participation Plan is triggered if there is a substantial amendment made to the Annual Action Plan or the Five-Year ConPlan. Substantial Amendments are defined by the regulations in 24 CFR Part 91.505 and Guam's Citizen Participation Plan. Minor adjustments in funding levels for public services, housing activities and administration due to differences in actual program income *verses* anticipated program income should not be considered substantial.

Exception: In situations when disaster strikes and CPD funds are required to meet an urgent need, a substantial amendment in the form of reprogramming of funds can take place without public notice. This exception to the Citizen Participation Plan is granted under extenuating circumstances, such as in times of a disaster declaration. In addition, due to COVID-19, HUD waives the 30-day minimum for the required public comment period for substantial amendments, provided that no less than 5 days are given for public comments on each substantial amendment through the end of Program Year 2020.

Per Guam's Citizen Participation Plan, the following will be considered a substantial amendment:

1. *A meaningful change in the location of an activity.*
 - a. *If a project is moved from one village to another village*

- b. If a project is being relocated within the same village, but now substantially changes the environmental impact on the area*
- 2. *A substantial change in the use of CPD funds from one eligible activity to another eligible activity is defined as any change in the allocation of funds for a specific activity that constitutes more than thirty percent (30%) of the original total funds available or allocated to that activity.*
 - a. Example #1: Project A has an original budget of \$1,000,000. \$30,000 from Project A will be re-programmed to Project B, which has an original budget of \$50,000. A substantial amendment is triggered because there has been an increase of 60% from Project B's original budget.*
 - b. Example #2: A Public Service Project has an original budget of \$150,000, of which \$48,000 will be reprogrammed to a Public Facilities Project that has an original budget of \$800,000. The revised budget for the Public Facilities Project is now \$848,000. A substantial amendment is triggered because there has been a 32% change in the Public Service Project's original budget.*
- 3. *An activity not previously described in the Annual Action Plan shall be defined as a substantial change if the new activity is allocated more than \$25,000 of federal funds.*
- 4. *A change in the type of characteristics of beneficiaries of an activity qualifies as a substantial amendment. Examples include:*
 - a. The HUD-recognized income levels of 0-30% of area median income (AMI); between 31%-50% of AMI; between 51%-80% of AMI.*
 - b. Renter, homebuyer, or homeowner*
 - c. Single households, small households (two-four persons), or large households (five or more persons).*

Any substantial amendment to the ConPlan or Annual Action Plan will only be incorporated into the document after a public notice has been provided to the public, and all parties have been given an opportunity to review and provide comment.

7. Citizen Complaint Process

GHURA must consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final Consolidated Plan, Annual Action Plan, Performance Report, amendments, Assessment of Fair Housing, and Participation Plan.

GHURA is also responsible for responding to complaints from citizens regarding the funding process. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the final Consolidated Plan, Annual Plan, amendment of the Plan, Assessment, or Performance Report.

Written complaints should be addressed to GHURA's Chief Planner at GHURA, 117 Bien Venida Street, Sinajana, Guam 96910. Complaints must include the name, telephone number and address of the complainant. The Chief Planner will provide a timely, substantive written response to every citizen complaint within 15 business days, as required by federal regulation. If the complainant is not satisfied with

the Chief Planner's response, further appeals should be addressed to the Executive Management at GHURA, 117 Bien Venida Street, Sinajana, Guam 96910.

Discrimination Complaints

When the complainant's concern is of a discrimination-related nature (e.g., discrimination on the basis of physical or mental disability, race, creed, color, sex, marital status, familial status, religion, national origin, and/or ancestry, or other legally protected classes) the complainant should immediately contact one of the following resources:

- Guam's Fair Housing Coordinator - GHURA, 117 Bien Venida Avenue, Sinajana, Guam 96910; Phone: (671) 475-1322.
- HUD Fair Housing Hotline - Phone: (800) 669-9777

8. Displacement

GHURA will make every effort to minimize the displacement of persons occupying low-income housing. If Guam should undertake activities using CPD funds that result in the displacement of individuals, Guam will follow federal regulations under 24 CFR 570.606(c) and 24 CFR 92.353 regarding relocation plans, replacement of housing and costs before funding is allocated.

Changing the Citizen Participation Plan

The Citizen Participation Plan can be amended with input from local residents, organizations, and other interested persons. Any substantial change to the Citizen Participation Plan must be made available for public review and comment. The following process will take place:

1. GHURA will publish a public hearing notice to consider an amendment to the Citizen Participation Plan. The notice will be published at least 15 days prior to the hearing.
2. GHURA will consider all oral and written comments regarding the amendment(s) to the Citizen Participation Plan prior to the final preparation of the document.
3. A summary of comments received during the 30-day review and comment period will be attached to the amended plan.
4. The Board of Commissioners will review and vote on approving the amendment(s).

Exception:

Due to COVID-19, HUD allows grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances through the end of Program Year 2020. As a result, GHURA has amended its citizen participation plan to establish expedited procedures to draft, propose, or amend consolidated plans for emergency responses. GHURA will publish a notice and accept comments regarding the amendment(s) to the Citizen Participation Plan prior to the final preparation of the document for no less than 5 days. To provide the public opportunity to comment, GHURA will utilize more than one of the

following: press releases, publishing on GHURA's website, and paid advertisements on generally circulated publications. Comments will be accepted via email, phone calls, and paper submissions.

Citizen Participation Plan Timeline

| Document | Public Notice #1 | Public Notice #2 | Public Briefing/ Public Hearing | Public Notice #3 | End Date |
|--|---|--|--|---|--|
| <ul style="list-style-type: none"> Notice of Funding Availability | <p>To be available to the public for at least 60 days prior to deadline.</p> <p>(Ex. Jan. 30 for Mar. 31 deadline)</p> | <p>To be published at least 24 hours prior to Public Briefing.</p> <p>(Ex. Feb. 14)</p> | <p>To be held at least 15 days after Notice #1 has been published; to be scheduled at 10AM or 10:30AM at a convenient location.</p> <p>(Ex. Feb. 15)</p> | <p>To be published at least 15 days prior to deadline.</p> <p>(Ex. Mar. 13 for Mar. 31 deadline)</p> | <p>Applications will be accepted for a minimum of 60 days <i>after</i> the Public Notice #1.</p> |
| <ul style="list-style-type: none"> Annual Action Plan (AAP) Consolidated Annual Performance & Evaluation Report (CAPER) Substantial Amendment Citizen Participation Plan (Amendment) | <p>Notice #1 will call for public comments on the Draft; to be available to the public for at least 30 days.</p> | <p>Notice #2 will call for Public Hearing on the Draft; to be published at least 24 hours prior to Public Hearing.</p> | <p>To be held at least 15 days after Notice #1 has been published; to be scheduled at 10AM or 10:30AM at a convenient location.</p> | <p>N/A</p> | <p>Comments will be accepted for a minimum of 15 days <i>after</i> the Public Hearing date.</p> |
| <ul style="list-style-type: none"> 5-Year Consolidated Plan (ConPlan) Assessment of Fair Housing (AFH) | <p>Notice #1 will call for public hearing while document is in development.</p> | <p>Notice #2 will call for public comments on the completed Draft; to be published at least 15 days prior to Public Hearing. Draft will be available to the public for at least 30 days.</p> <p>(Ex. Sept. 15)</p> | <p>A minimum of 2 public hearings will be held for the ConPlan and AFH.</p> <p>Public Hearing #1 to be held at least 15 days after Notice #1 is published; to be scheduled at 10AM or 10:30AM at a convenient location.</p> <p>Public Hearing #2 to be held at least 15 days after the draft document has been published; to be scheduled at 10AM or 10:30AM at a convenient location.</p> <p>(Ex. Oct. 1)</p> | <p>Notice #3 will call for public comments on completed Draft; to be published at least 7 days prior to deadline.</p> <p>(Ex. Oct. 9)</p> | <p>Comments will be accepted for a minimum of 15 days <i>after</i> the Public Hearing on the draft document.</p> <p>(Ex. Deadline to accept comments is Oct. 16).</p> |

GUAM HOUSING AND URBAN RENEWAL AUTHORITY
Aturidat Ginima Yan Rinueban Suidat Guahan
BOARD OF COMMISSIONERS
Resolution No. FY2021-021

Moved by: **ANISIA S. DELIA**

Seconded by: **SABINO P. FLORES**

RESOLUTION APPROVING THE FISCAL YEAR 2022 OPERATING BUDGETS FOR PUBLIC HOUSING ASSET MANAGEMENT PROJECTS (AMP) GQ001000001, GQ001000002, GQ001000003 AND GQ001000004.

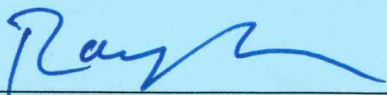
- WHEREAS,** the Authority and the U.S. Department of Housing and Urban Development (**HUD**) entered into a Consolidated Annual Contributions Contract, ACC Number SF-272 dated March 27, 1967; and
- WHEREAS,** the Authority administers HUD's Low Rent Public Housing Program, which is subsidized by **HUD**, through its Operating Fund; and
- WHEREAS,** **HUD**, with the implementation of 990.255 of the Operating Fund final rule, requires public housing authorities to implement project-based management, project-based budgeting and project-based accounting, and
- WHEREAS,** the Authority, in anticipation of the aforementioned requirement, has grouped its housing developments into Asset Management Programs (AMPs),
- WHEREAS,** the proposed Fiscal Year 2022 AMP budgeted expenditures are necessary in the efficient and economical operations of the AMPs for the purpose of serving low-income residents; therefore be it
- RESOLVED,** that the FY 2022 AMP operating budgets for the Authority's Asset Management Projects GQ001000001, GQ001000002, GQ001000003 and GQ001000004 are hereby approved.

**IN REGULAR BOARD MEETING AT SINAJANA, GUAM – AUGUST 27, 2021
PASSED BY THE FOLLOWING VOTES:**

AYES: **Sabino Flores, Frank Ishizaki, Anisia Delia, Karl Corpus**
NAYES: **NONE**
ABSENT: **Monica Guzman, George Pereda**
ABSTAINED: **NONE**

I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly adopted by the Guam Housing and Urban Renewal Authority Board of Commissioners on **August 27, 2021**.

(SEAL)



RAY S. TOPASNA
Secretary/Executive Director

PHA Board Resolution
Approving Operating Budget

**U.S. Department of Housing
and Urban Development**
Office of Public and Indian Housing -
Real Estate Assessment Center (PIH-REAC)

OMB No. 2577-0026
(exp. 06/30/2022)

Public reporting burden for this collection of information is estimated to average **10 minutes per response**, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 6(c)(4) of the U.S. Housing Act of 1937. The information is the operating budget for the low-income public housing program and provides a summary of the proposed/budgeted receipts and expenditures, approval of budgeted receipts and expenditures, and justification of certain specified amounts. HUD reviews the information to determine if the operating plan adopted by the public housing agency (PHA) and the amounts are reasonable, and that the PHA is in compliance with procedures prescribed by HUD. Responses are required to obtain benefits. This information does not lend itself to confidentiality.

PHA Name: Guam Housing and Urban Renewal Authority PHA Code: GQ001

PHA Fiscal Year Beginning: October 1, 2021 Board Resolution Number: FY 2021-021

Acting on behalf of the Board of Commissioners of the above-named PHA as its Chairperson, I make the following certifications and agreement to the Department of Housing and Urban Development (HUD) regarding the Board's approval of (check one or more as applicable):

DATE


- ☒ Operating Budget approved by Board resolution on: 08/27/2021
- ☐ Operating Budget submitted to HUD, if applicable, on:
- ☐ Operating Budget revision approved by Board resolution on:
- ☐ Operating Budget revision submitted to HUD, if applicable, on:

I certify on behalf of the above-named PHA that:

1. All statutory and regulatory requirements have been met;
2. The PHA has sufficient operating reserves to meet the working capital needs of its developments;
3. Proposed budget expenditure are necessary in the efficient and economical operation of the housing for the purpose of serving low-income residents;
4. The budget indicates a source of funds adequate to cover all proposed expenditures;
5. The PHA will comply with the wage rate requirement under 24 CFR 968.110(c) and (f); and
6. The PHA will comply with the requirements for access to records and audits under 24 CFR 968.110(i).

I hereby certify that all the information stated within, as well as any information provided in the accompaniment herewith, if applicable, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012.31, U.S.C. 3729 and 3802)

| | | |
|--|--|-------------------------|
| Print Board Chairperson's Name: SABINO P. FLORES | Signature:  | Date: 8/27/21 |
|--|--|-------------------------|

Guam Housing and Urban Renewal Authority
Low Rent Housing Program - Project Summary Budget

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FY 2022

| Budget Category | Budget Line Item | AMP - 1 | AMP - 2 | AMP - 3 | AMP - 4 | Grand Total |
|---------------------------|--|--------------------|--------------------|--------------------|--------------------|--------------------|
| Revenue | 100 Operating Receipts | \$ (28,736) | \$ (114,120) | \$ (59,613) | \$ (289,118) | \$ (491,587) |
| | 102 Interest Income | (474) | (693) | (1,076) | (1,005) | (3,248) |
| | 103 Other Income | (33,432) | (7,062) | (24,551) | (31,233) | (96,278) |
| | 106 Subsidies - Federal | (1,088,685) | (1,125,050) | (1,273,509) | (1,482,784) | (4,970,028) |
| | 109 Year-end Cash Balance | (12,387) | (154,233) | (84,326) | (2,219,365) | (2,470,311) |
| Revenue Total | | (1,163,714) | (1,401,158) | (1,443,075) | (4,023,505) | (8,031,452) |
| Expenditures: | | | | | | |
| Personnel | 801 Salaries and Wages | 474,866 | 422,577 | 469,777 | 659,430 | 2,026,650 |
| | 802 Overtime | 12,000 | 33,819 | 21,000 | 21,500 | 88,319 |
| | 803 Employee Benefits | 179,554 | 187,459 | 239,188 | 278,589 | 884,790 |
| Personnel Total | | 666,420 | 643,855 | 729,965 | 959,519 | 2,999,759 |
| | | | | | | |
| Utilities | 804 Electricity | 25,000 | 26,000 | 30,000 | 50,000 | 131,000 |
| | 805 Water/Sewage | 3,000 | 15,000 | 47,000 | 126,000 | 191,000 |
| Utilities Total | | 28,000 | 41,000 | 77,000 | 176,000 | 322,000 |
| | | | | | | |
| Travel | 810 Off-Island Travel | - | - | - | 5,000 | 5,000 |
| | | | | | | |
| Contractual | 812 Auto Maintenance | 12,000 | 9,000 | 9,500 | 10,000 | 40,500 |
| | 813 Auto - Gas | 10,000 | 7,000 | 13,100 | 9,000 | 39,100 |
| | 814 Communication | 7,500 | 9,400 | 12,100 | 12,000 | 41,000 |
| | 815 Copy Machine | 4,000 | 3,500 | 2,651 | 3,000 | 13,151 |
| | 816 Custodial Services | 5,000 | 7,000 | 17,280 | 11,000 | 40,280 |
| | 817 Insurance Services | 13,550 | 22,427 | 29,216 | 35,250 | 100,443 |
| | 820 Property Management Fee | 128,653 | 127,756 | 151,844 | 184,352 | 592,605 |
| | 821 Bookkeeping Fee | 13,980 | 13,882 | 16,500 | 20,033 | 64,395 |
| | 822 Asset Management Fee | 18,960 | 19,560 | 23,400 | 28,080 | 90,000 |
| | 825 Legal | 2,000 | 3,000 | 1,000 | 2,000 | 8,000 |
| | 826 Office Equipment Maintenance | - | - | - | - | - |
| | 827 Plumbing, Sewer Services | 9,000 | 3,000 | 10,000 | 20,000 | 42,000 |
| | 828 Professional Services | 10,945 | 54,659 | 27,000 | 60,000 | 152,604 |
| | 829 Protective Services | 6,000 | 2,000 | 1,000 | 35,000 | 44,000 |
| | 830 Software Maintenance | 6,000 | 12,000 | 6,500 | 15,000 | 39,500 |
| | 832 Audit | 1,200 | 2,440 | 1,000 | 3,000 | 7,640 |
| | 833 Advertising | 1,000 | 2,000 | 4,000 | 2,000 | 9,000 |
| | 850 Maintenance Contratcs | 30,000 | 23,180 | 100,000 | 155,000 | 308,180 |
| | 851 Staff Training | 8,000 | 10,000 | 10,000 | 21,000 | 49,000 |
| Contractual Total | | 287,788 | 331,804 | 436,091 | 625,715 | 1,681,398 |
| | | | | | | |
| Equipment | 831 Equipment | 80,332 | 175,401 | 103,919 | 235,000 | 594,652 |
| | | | | | | |
| Other | 835 Collection Loss | 6,000 | 10,000 | 15,000 | 25,000 | 56,000 |
| | 836 Computer Services | - | - | - | - | - |
| | 839 Custodial Supplies | 600 | 500 | 500 | 1,000 | 2,600 |
| | 842 Membership Dues | 1,500 | 800 | 1,750 | 3,000 | 7,050 |
| | 843 Miscellaneous | 1,500 | 6,100 | 4,500 | 11,600 | 23,700 |
| | 844 Office Supplies | 3,500 | 5,000 | 5,000 | 3,000 | 16,500 |
| | 845 Ordinary Maintenance & Materials | 30,000 | 57,500 | 65,000 | 85,000 | 237,500 |
| | 846 Office Building Repair & Maintenance | 2,000 | - | - | 25,000 | 27,000 |
| | 847 Postage/Courier | 500 | 2,500 | 1,200 | 2,500 | 6,700 |
| | 848 Printing | 3,000 | 1,000 | 2,000 | 3,000 | 9,000 |
| | 852 Subscriptions | 500 | 50 | 150 | 500 | 1,200 |
| | 854 Payment in lieu of taxes (PILOT) | 74 | 7,312 | - | 11,312 | 18,698 |
| | 862 PH FSS Expense | 2,000 | 2,962 | 1,000 | 10,000 | 15,962 |
| Other Total | | 51,174 | 93,724 | 96,100 | 180,912 | 421,910 |
| | | | | | | |
| Capital Outlays | 855 Capital Outlays | 50,000 | 115,374 | - | 1,841,359 | 2,006,733 |
| | | | | | | |
| Expenditures Total | | 1,163,714 | 1,401,158 | 1,443,075 | 4,023,505 | 8,031,452 |
| | | | | | | |
| (Surplus) Deficit | | \$ - | \$ - | \$ - | \$ - | \$ - |

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| DIVISION | COCC | HBU | FILLED | VAC | POS # | POSITION TITLE | POSITION | EMPLOYEE NAME | VICE | APPT. | GRADE-STEP | HOURLY | ANNUAL | LAST INCR | DTE NEXT INCR | SALARY AT 09/30/2021 | 2022 RETRO / INCREMENT (Est.) | TOTAL SALARY 2022 | RETIREMENT | MEDICARE | DD (\$19.01) | LIFE (\$7.03) | MEDICAL | DENTAL | TOTAL BENEFITS | TOTAL PAYROLL | | | | | | | | | | |
|-----------------------------|------|--------|--------|-------|-----------------------------|----------------|---------------------------------|--|----------------|-----------|------------|--------|------------|-------------------------------|---------------|----------------------|-------------------------------|-------------------|------------|----------|--------------|---------------|---------|--------|----------------|---------------|--------|---------|---------|-------|-------|-------|--------|-------|---------|---------|
| PUBLIC HOUSING-AMP1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Business Unit (111000) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 05007 | Administrative Assistant | Permanent | Lailan, Velma Naputi | (Vice: A.T. Flores-reprogrammed) | Permanent | JG3-12(E) | 26.98 | 56,112 | 3/31/2021 | 3/31/2022 | 49,940 | 4,619 | 54,559 | 14,715 | 791 | - | 183 | 12,740 | 454 | 28,883 | 83,442 | | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 08018 | Housing Specialist | Permanent | Cruz, Liza O. | (Vice: R.C. Lastimoza) | Permanent | LG3-10(A) | 26.69 | 55,509 | 2/8/2021 | 2/8/2022 | 46,606 | 10,608 | 57,214 | 15,431 | 830 | 495 | 183 | 5,035 | 454 | 22,428 | 79,642 | | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | | 08020 | Administrative Assistant | Permanent | | (Vice: A.B. Aliague) | ---- | ---- | ---- | ---- | ---- | (No funding in FY2016) | | - | - | - | - | - | - | - | - | - | - | - | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 09017 | Building Maintenance Leader | Permanent | Balicha, Genar B. | (Vice: T.C. Sanchez) | CL.T-Permanent | JM2-11(D) | 33.90 | 70,508 | 9/3/2021 | 9/3/2022 | 62,752 | 4,086 | 66,838 | 18,026 | 969 | 495 | 183 | 5,035 | 454 | 25,162 | 92,000 | | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 09022 | Laborer | Permanent | Leon Guerrero, Jesiah-Edward R. | (Vice: W.M. Aisek) | Temporary | FM2-1(A) | 12.72 | 26,458 | 1/4/2021 | ---- | ---- | 26,458 | - | - | 7,136 | 384 | 495 | 183 | - | - | 8,198 | 34,656 | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 09031 | Maintenance Worker | Permanent | Manabat, Julius | (Vice: J.M. Anderson) | CL.T-Permanent | HM2-6(E) | 21.03 | 43,741 | 4/27/2021 | 4/27/2022 | 38,930 | 3,414 | 42,344 | 11,420 | 614 | 495 | 183 | 2,316 | - | 15,028 | 57,372 | | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 09036 | Data Control Clerk II *** | Permanent | Machie, Maria-Christina A. | (Vice: M.L.T. Fejeran) | CL.T-Permanent | FG3-5(D) | 15.47 | 32,179 | 10/15/2020 | 10/15/2021 | 29,237 | 2,833 | 32,070 | 8,649 | 465 | 495 | 183 | - | - | 9,792 | 41,862 | | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 11006 | Property Site Manager *** | Permanent | Ada, Narcissa P. | (Vice: T.S. Mesa) | CL.T-Permanent | OH-6(A) | 42.14 | 87,657 | 10/6/2020 | 10/6/2021 | 82,695 | 4,918 | 87,613 | 23,629 | 1,270 | - | 183 | - | - | 25,082 | 112,695 | | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 11015 | Interviewer Clerk | Permanent | Cruz, Maedale Q. | (Vice: R.C. Balatocan) | Permanent | GG3-15(F) | 26.47 | 55,064 | 1/3/2021 | 1/3/2022 | | 50,463 | 4,212 | 54,675 | 14,746 | 793 | - | 183 | 5,024 | 240 | 20,986 | 75,661 | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 11029 | Clerk III | Permanent | Sahagor, Ana C. | (Vice: NEW-BOC Res. No. FY2019-019) | Temporary | EG3-1(F) | 10.42 | 21,666 | 9/30/2019 | ---- | ---- | 21,666 | - | - | 5,843 | 314 | - | 183 | 2,316 | 240 | 8,896 | 30,562 | | | | | | | | | | |
| PH-AMP1 | ---- | 111000 | 1 | 11101 | Maintenance Worker | Permanent | Aisek, William M. | (Vice: S.M. Ogo) | Temporary | HM2-1(A) | 15.11 | 31,429 | 6/6/2020 | ---- | ---- | 31,429 | - | - | 8,476 | 456 | 495 | 183 | 5,035 | 454 | 15,099 | 46,528 | | | | | | | | | | |
| | | | | | | | | | | | | 10 | 0 | | | | | | | | | | | | | 440,176 | 34,690 | 474,866 | 128,071 | 6,886 | 2,970 | 1,830 | 37,501 | 2,296 | 179,554 | 654,420 |
| PUBLIC HOUSING-AMP2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Business Unit (112000) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 03003 | Data Control Clerk II *** | Permanent | Bamba, Franklin M. | (Vice: M.L.T. Fejeran) | Permanent | FG3-13(C) | 21.56 | 44,840 | 2/16/2021 | 2/16/2022 | 42,302 | 1,588 | 43,890 | 11,837 | 636 | - | 183 | 5,024 | - | - | 17,680 | 61,570 | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | | 05008 | Accounting Technician II | Permanent | | (Vice: A.T. Flores) | ---- | ---- | ---- | ---- | ---- | (No funding in FY2016) | | - | - | - | - | - | - | - | - | - | - | - | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 08021 | Interviewer Clerk | Permanent | Quenga, Elizabeth Asano | (Vice: D.U. Del Rosario) | Permanent | GG3-14(C) | 24.26 | 50,463 | 2/14/2021 | 2/14/2022 | 44,912 | 4,514 | 49,426 | 13,330 | 717 | - | 183 | 7,804 | 272 | 22,306 | 71,732 | | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 08029 | Housing Specialist | Permanent | Torres, Virginia M. | (Vice: E.P. De Mesa) | CL.T-Permanent | LG3-3(E) | 18.46 | 38,393 | 8/17/2021 | 8/17/2022 | 34,170 | 2,323 | 36,493 | 9,842 | 529 | 495 | 183 | 7,804 | 272 | 19,125 | 55,618 | | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 09016 | Building Maintenance Leader | Permanent | Guzman, Frank T.M. | (Vice: T.G. Francisco) | CL.T-Permanent | JM2-8(C) | 28.19 | 58,625 | 10/13/2020 | 10/13/2021 | 52,176 | 6,381 | 58,557 | 15,793 | 849 | 495 | 183 | 12,740 | 454 | 30,514 | 89,071 | | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 09028 | Maintenance Worker | Permanent | Orot, Michael M. | (Vice: G.B. Balicha) | CL.T-Permanent | HM2-3(E) | 17.66 | 38,726 | 10/1/2020 | 10/1/2021 | 34,647 | 2,081 | 36,728 | 9,906 | 533 | 495 | 183 | 5,035 | 454 | 16,606 | 53,334 | | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 11007 | Property Site Manager *** | Permanent | Curra, Gina M. | (Vice: L.S. Castro) | CL.T-Permanent | OH-5(B) | 40.14 | 83,490 | 12/5/2020 | 12/5/2021 | 78,765 | 3,903 | 82,668 | 22,296 | 1,199 | - | 183 | - | - | 23,678 | 106,346 | | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | | | | | | (Vice: P.G. Cruz - position reprogrammed from Laborer to Maintenance Worker) | | Temporary | HM2-1(A) | 15.11 | 31,429 | 11/25/2019 | ---- | ---- | - | - | 8,476 | 456 | 495 | 183 | 2,316 | 240 | 12,166 | 43,595 | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 11019 | Administrative Assistant | Permanent | Mendiola, Maria Magdalena | (Vice: V.M. Torres) | CL.T-Permanent | JG3-3(A) | 15.35 | 31,935 | 12/7/2020 | 12/7/2021 | 28,422 | 2,899 | 31,321 | 8,447 | 454 | - | 183 | 5,024 | 240 | 14,348 | 45,669 | | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 11028 | Clerk III | Permanent | Salader, Atin J. | (Vice: NEW-BOC Res. No. FY2019-019) | Temporary | EG3-1(A) | 9.92 | 20,635 | 8/26/2019 | ---- | ---- | 20,635 | - | - | 5,565 | 299 | 495 | 183 | 5,024 | 240 | 11,806 | 32,441 | | | | | | | | | | |
| PH-AMP2 | ---- | 112000 | 1 | 12011 | Maintenance Worker | Permanent | Aqualo, Michael C. | (Vice: D.R.F. Aguron) | Temporary | HM2-1(A) | 15.11 | 31,429 | 2/10/2020 | ---- | ---- | 31,429 | - | - | 8,476 | 456 | 495 | 183 | 9,287 | 333 | 19,230 | 50,659 | | | | | | | | | | |
| | | | | | | | | | | | | 10 | 0 | | | | | | | | | | | | | 398,887 | 23,690 | 422,577 | 113,968 | 6,128 | 2,970 | 1,830 | 60,058 | 2,505 | 187,459 | 610,036 |
| PUBLIC HOUSING-AMP3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Business Unit (113000) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 09018 | Building Maintenance Leader | Permanent | Lungway, Dante C. | (Vice: J.S.N. Aquigui) | CL.T-Permanent | JM2-4(F) | 22.98 | 47,802 | 10/8/2020 | 10/8/2021 | 40,923 | 8,498 | 49,421 | 13,329 | 717 | 495 | 183 | 2,316 | 240 | 17,280 | 66,701 | | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 09019 | Maintenance Worker | Temporary | Vacant | (Vice: L.O. Torre) | Vacant | HM2-1(A) | 15.11 | 31,429 | ---- | ---- | ---- | 31,429 | - | - | 8,476 | 456 | 495 | 183 | 12,740 | 454 | 22,804 | 54,233 | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 09020 | Maintenance Worker | Permanent | Ignacio, David J. | (Vice: E.P. De Mesa) | CL.T-Permanent | HM2-5(A) | 19.08 | 39,678 | 8/24/2021 | 8/24/2022 | 35,314 | 2,371 | 37,685 | 10,164 | 546 | 495 | 183 | 5,035 | 454 | 16,877 | 54,562 | | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 09021 | Maintenance Worker | Permanent | Vacant | (Vice: E.O. Santos) | Vacant | HM2-1(A) | 15.11 | 31,429 | ---- | ---- | ---- | 31,429 | - | - | 8,476 | 456 | 495 | 183 | 12,740 | 454 | 22,804 | 54,233 | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 09039 | Data Control Clerk II *** | Permanent | Miner, Joann P. | (Vice: J.R.A. Blas) | Temporary | FG3-1(F) | 11.03 | 22,940 | 6/29/2015 | ---- | ---- | 22,940 | - | - | 6,187 | 333 | - | 183 | 5,024 | 240 | 11,967 | 34,907 | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | | 09048 | Administrative Assistant | Permanent | | (Vice: J.R.A. Blas) | ---- | ---- | ---- | ---- | ---- | (Half year funding in FY2017) | | - | - | - | - | - | - | - | - | - | - | - | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 11002 | Interviewer Clerk | Permanent | Santos, Joseph Anthony | (Vice: M.C.A. Machie) | CL.T-Permanent | GG3-4(A) | 13.28 | 27,626 | 8/26/2021 | 8/26/2022 | 23,195 | 4,437 | 27,632 | 7,452 | 401 | 495 | 183 | 2,316 | 240 | 11,087 | 38,719 | | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 11008 | Property Site Manager *** | Permanent | Bamba, Patrick R. | (Vice: P.J. Mendiola) | CL.T-Permanent | OH-3(A) | 35.38 | 73,599 | 3/6/2021 | 3/6/2022 | 69,433 | 2,405 | 71,838 | 19,375 | 1,042 | 495 | 183 | 12,740 | 454 | 34,289 | 106,127 | | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 11012 | Laborer *** | Temporary | Rechy, Thomas | (Vice: F.J. Cruz II) | Temporary | FM2-1(A) | 12.72 | 26,468 | 12/16/2013 | ---- | ---- | 26,468 | - | - | 7,136 | 384 | - | 183 | - | - | 7,703 | 34,161 | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 11013 | Administrative Assistant | Permanent | Blas, Jeanna Rosemarie A. | (Vice: L.M. Tribble) | CL.T-Permanent | JG3-5(C) | 17.60 | 36,600 | 5/1/2021 | 5/1/2022 | 32,574 | 2,832 | 35,406 | 9,549 | 513 | 495 | 183 | 5,024 | 240 | 16,004 | 51,410 | | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | | 11021 | Housing Specialist | Permanent | | (Vice: B.T. Cruz) | ---- | ---- | ---- | ---- | ---- | (No funding in FY2017) | | - | - | - | - | - | - | - | - | - | - | - | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 11024 | Housing Specialist | Permanent | Tyquengco, Bernadette V. | (Vice: NEW-BOC Res. No. FY2016-005) | CL.T-Permanent | LG3-5(E) | 20.74 | 43,139 | 1/7/2021 | 1/7/2022 | 36,220 | 8,478 | 44,698 | 12,055 | 648 | 495 | 183 | 5,024 | 240 | 18,645 | 63,343 | | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 11027 | Maintenance Worker | Permanent | Aquinogco, Manuel S. | (Vice: M.G. Certeza) | CL.T-Permanent | HM2-4(A) | 18.00 | 37,432 | 10/16/2020 | 10/16/2021 | 33,315 | 4,037 | 37,352 | 10,074 | 542 | 495 | 183 | 12,740 | 454 | 24,488 | 61,840 | | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 11030 | Clerk III | Permanent | Pablo, Darlene C. | (Vice: NEW-BOC Res. No. FY2019-019) | Temporary | EG3-1(A) | 9.92 | 20,635 | 4/1/2021 | ---- | ---- | 20,635 | - | - | 5,565 | 299 | 495 | 183 | 5,035 | 454 | 12,031 | 32,666 | | | | | | | | | | |
| PH-AMP3 | ---- | 113000 | 1 | 11032 | Housing Specialist | Permanent | Vacant | (Vice: NEW-BOC Res. No. FY2021-010) | Vacant | LG3-1(A) | 15.80 | 32,856 | ---- | ---- | ---- | 32,856 | - | - | 8,861 | 476 | 495 | 183 | 12,740 | 454 | 23,209 | 56,065 | | | | | | | | | | |
| | | | | | | | | | | | | 10 | 3 | | | | | | | | | | | | | 436,721 | 33,056 | 469,777 | 126,699 | 6,813 | 2,379 | 1,830 | 93,474 | 4,378 | 239,185 | 708,965 |

DRAFT

| DIVISION | COCC | HBU | FILLED | VAC | POS # | POSITION TITLE | POSITION | EMPLOYEE NAME | VICE | APPT. | GRADE-STEP | HOURLY | ANNUAL | LAST INCR | DTE NEXT INCR | SALARY AT 09/30/2021 | 2022 RETRO/ INCREMENT (Est.) | TOTAL SALARY 2022 | RETIREMENT | MEDICARE | DDI (\$19.01) | LIFE (\$7.03) | MEDICAL | DENTAL | TOTAL BENEFITS | TOTAL PAYROLL | |
|--|------|--------|--------|-----|-------|-----------------------------|-----------|--|---|---------------|------------|--------|---------|------------------------|------------------------|----------------------|------------------------------|-------------------|------------|----------|---------------|---------------|---------|--------|----------------|---------------|--|
| PUBLIC HOUSING-AMP4 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Home Business Unit (114000) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PH-AMP4 | ---- | 114000 | | | 01005 | Laborer | Permanent | (Vice: T. San Nicolas) | ---- | Permanent | JG3-10(F) | 24.24 | 50,420 | 1/22/2021 | (No funding in FY2018) | - | - | 49,539 | 13,361 | 718 | - | - | - | - | - | - | |
| PH-AMP4 | ---- | 114000 | 1 | | 01006 | Administrative Assistant | Permanent | Nelson, Tina V. | (Vice: P.R.S. Roberto) | Permanent | JG3-10(F) | 24.24 | 50,420 | 1/22/2021 | 1/22/2022 | 47,566 | 1,973 | 49,539 | 13,361 | 718 | - | 183 | - | 240 | 14,502 | 64,041 | |
| PH-AMP4 | ---- | 114000 | | | 08017 | Housing Specialist | Permanent | Stovall, Amber A. | (Vice: F.A.L.G. Francisco) | CLT-Permanent | LG3-2(D) | 17.25 | 35,872 | 3/11/2021 | 3/11/2022 | 33,841 | 1,140 | 34,981 | 9,434 | 507 | 495 | 183 | 2,316 | 240 | 13,175 | 48,156 | |
| PH-AMP4 | ---- | 114000 | 1 | | 09025 | Maintenance Worker | Permanent | Actalle, Peter P. | (Vice: M.A.O. Camacho) | CLT-Permanent | HM2-3(E) | 17.66 | 36,726 | 10/2/2020 | 10/2/2021 | 34,647 | 2,073 | 36,720 | 9,903 | 532 | 495 | 183 | 9,287 | - | 20,400 | 57,120 | |
| PH-AMP4 | ---- | 114000 | 1 | | 09026 | Maintenance Worker | Permanent | Ivanaga, Ryochi Leo (Temp-Exp 09/30/21) | (Vice: R.J. Cruz) | Temporary | HM2-1(A) | 15.11 | 31,429 | 11/25/2019 | ---- | 31,429 | - | 31,429 | 8,476 | 456 | 183 | - | - | - | 9,610 | 41,039 | |
| PH-AMP4 | ---- | 114000 | 1 | | 09029 | Maintenance Worker | Permanent | Vidal, Roy Cate | (Vice: T.G. Francisco) | CLT-Permanent | HM2-4(F) | 18.90 | 39,304 | 4/1/2021 | 4/1/2022 | 34,980 | 3,226 | 38,206 | 10,304 | 554 | 495 | 183 | 12,740 | 454 | 24,730 | 62,936 | |
| PH-AMP4 | ---- | 114000 | | 1 | 09035 | Laborer | Permanent | Vacant | (Vice: J.J. Cruz - FY2020 reprog. from DCCII to | Vacant | DM2-1(A) | 10.45 | 21,741 | ---- | ---- | 21,741 | - | 21,741 | 5,864 | 315 | 495 | 183 | 12,740 | 454 | 20,051 | 41,792 | |
| PH-AMP4 | ---- | 114000 | 1 | | 09041 | Maintenance Worker | Permanent | Macias, Raymond A. | (Vice: G.S. Cruz Jr.) | Permanent | DM2-10(A) | 25.53 | 53,099 | 8/22/2021 | 8/22/2022 | 44,583 | 8,543 | 53,126 | 14,328 | 770 | - | 183 | - | - | 15,281 | 68,407 | |
| (Vice: S.E. Santos-FY2020 position reprogrammed from Laborer to DCCII) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PH-AMP4 | ---- | 114000 | 1 | | 09043 | Data Control Clerk II | Permanent | Cruz, Joseph Jay | (Vice: T.D. Rotrock) | CLT-Permanent | FG3-4(A) | 12.51 | 26,021 | 11/11/2020 | 11/11/2021 | 24,548 | 1,318 | 25,866 | 6,976 | 375 | - | 183 | 2,316 | 240 | 10,090 | 35,956 | |
| PH-AMP4 | ---- | 114000 | | | 11001 | Property Site Manager *** | Temporary | Vacant | (Vice: T.D. Rotrock) | Vacant | OH-1(A) | 31.49 | 65,499 | 7/22/2019 | (Fund at 75%) | 49,124 | - | 49,124 | 13,249 | 712 | 371 | 371 | 9,555 | 341 | 24,365 | 73,489 | |
| PH-AMP4 | ---- | 114000 | 1 | | 11005 | Interviewer Clerk | Permanent | Pablo, Jenavie S. (Temp-Exp 09/30/21) | (Vice: K. Mokut) | Temporary | GG3-1(A) | 11.15 | 23,195 | 7/22/2019 | ---- | 23,195 | - | 23,195 | 6,266 | 336 | 495 | 183 | 2,316 | 240 | 9,826 | 33,021 | |
| PH-AMP4 | ---- | 114000 | 1 | | 11009 | Property Site Manager *** | Permanent | San Nicolas, Philomena C. | (Vice: T.D. Rotrock) | CLT-Permanent | OH-10(C) | 54.23 | 112,793 | 4/1/2021 | 4/1/2022 | 106,409 | 3,215 | 109,624 | 29,565 | 1,590 | - | 183 | 2,316 | 240 | 33,894 | 143,518 | |
| PH-AMP4 | ---- | 114000 | 1 | | 11017 | Maintenance Worker | Permanent | Rodriguez, Chris J. | (Vice: R.V. Flores) | CLT-Permanent | HM2-10(C) | 26.04 | 54,161 | 10/6/2020 | 10/6/2021 | 51,095 | 3,053 | 54,148 | 14,604 | 785 | - | 183 | 12,740 | 454 | 28,766 | 82,914 | |
| PH-AMP4 | ---- | 114000 | | | 11018 | Laborer | Temporary | (Vice: S. Alvarez) | ---- | ---- | ---- | ---- | ---- | (No funding in FY2018) | ---- | - | - | - | - | - | - | - | - | - | - | - | |
| PH-AMP4 | ---- | 114000 | 1 | | 11020 | Building Maintenance Leader | Permanent | Morales, Josue A. | (Vice: P.U. Quichocho) | Probationary | JM2-2(A) | 19 | 40,518 | 5/17/2021 | 5/17/2022 | 38,225 | 871 | 39,096 | 10,544 | 567 | 495 | 183 | 5,035 | - | 16,824 | 55,920 | |
| PH-AMP4 | ---- | 114000 | | | 11022 | Interviewer Clerk | Permanent | (Vice: Z.M. Perez) | ---- | ---- | ---- | ---- | ---- | (No funding in FY2018) | ---- | - | - | - | - | - | - | - | - | - | - | - | |
| PH-AMP4 | ---- | 114000 | 1 | | 11023 | Housing Specialist | Permanent | Sayana-Toves, Nanette F. | (Vice: J.T. Perez) | CLT-Permanent | LG3-5(A) | 19.94 | 41,479 | 2/20/2021 | 2/20/2022 | 36,917 | 3,654 | 40,571 | 10,942 | 588 | - | 183 | - | - | 11,713 | 52,284 | |
| PH-AMP4 | ---- | 114000 | 1 | | 11025 | Maintenance Worker | Temporary | Vegafria, Denny A. (Temp-Exp 09/30/21) | (Vice: R.C. Vidal) | Temporary | HM2-1(A) | 15.11 | 31,429 | 8/30/2019 | ---- | 31,429 | - | 31,429 | 8,476 | 456 | 495 | 3,674 | 272 | 13,556 | 44,985 | | |
| PH-AMP4 | ---- | 114000 | 1 | | 11026 | Clerk III | Temporary | Baza, Nicholas Jorge (Temp-Exp 09/30/21) | (Vice: J.S. Pablo) | Temporary | EG3-1(A) | 9.92 | 20,635 | 4/1/2021 | ---- | 20,635 | - | 20,635 | 5,565 | 299 | 495 | 183 | 5,024 | 240 | 11,806 | 32,441 | |
| PH-AMP4 | ---- | 114000 | | | 11031 | Housing Specialist | Temporary | (Vice: A.A. Stovall) | ---- | ---- | ---- | ---- | ---- | (No funding in FY2021) | ---- | - | - | - | - | - | - | - | - | - | - | - | |
| 14 | | | | | | | | | | | | | | | | | 29,065 | 659,430 | 177,847 | 9,560 | 4,826 | 2,882 | 80,059 | 3,415 | 278,569 | 938,019 | |
| Staffing on BOARD | | | | | | | | | | | | | | | | | 120,501 | 2,026,650 | 546,585 | 29,387 | 16,211 | 8,921 | 271,092 | 12,594 | 884,790 | 2,911,440 | |
| 44.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Vacancies | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Board-Approved FTE | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 48.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |