

**Iowa Economic Development Authority  
Community Development Block Grant National Disaster Resilience (CDBG-NDR) Program  
Contract Amendment**

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**Recipient:**  
**Contract Number:**  
**Contract Amendment Number:**  
**Amendment Effective Date:**

**City of Dubuque**  
**13-NDRI-011**  
**1**  
**June 1, 2017**

The Iowa Economic Development Authority (IEDA) hereby amends the above referenced Community Development Block Grant National Disaster Resilience (CDBG-NDR) Program contract. The IEDA initiated amendment is a result of recommendations by HUD CDBG-NDR national staff during their March 2017 technical assistance monitoring.

The contract by and between the Iowa Economic Development Authority ("Department or IEDA") and City of Dubuque ("Recipient") is amended as of the date shown above as follows:

1. **AMEND** Award Amount by reducing the overall contract by \$16,347 from 172-01 – pre-agreement expenses.

**"AWARD AMOUNT:      \$23,309,600 ~~\$23,293,253~~"**

2. **AMEND 6.6**      **CONDITIONS TO DISBURSEMENT FOR A SPECIFIC ACTIVITY.** by adding condition (k):

**"6.6      CONDITIONS TO DISBURSEMENT FOR A SPECIFIC ACTIVITY.** For each activity number listed below, the Recipient shall comply with the corresponding applicable conditions prior to release of funds for that activity. If no applicable conditions are identified below, none of the conditions in Article 6.6 shall apply to the activities funded by this Contract.

| ACTIVITY NUMBER(S) | APPLICABLE CONDITIONS                        |
|--------------------|--|
| 69 _____           | (a) DEPARTMENT OF NATURAL RESOURCES APPROVAL |
| 69 _____           | (k) <u>DESIGN</u>                            |

(a)      DEPARTMENT OF NATURAL RESOURCES APPROVAL. Construction shall not begin prior to the written approval of the Iowa Department of Natural Resources.

(b)      REVIEW OF HANDICAPPED ACCESSIBILITY. Prior to release of funds for construction, the Authority shall receive and review a signed statement from the Project architect that proposed construction will meet all handicapped accessibility and ADA requirements based on approved design plans.

(c)      DEPARTMENT OF HEALTH APPROVAL. Construction shall not begin prior to receipt of written approval from the Iowa Department of Health.

(d)      FRANCHISE ORDINANCE/28E AGREEMENT. Prior to the release of funds for construction, the Recipient shall submit, as appropriate, either an ordinance authorizing the franchise or an executed 28E Agreement for the activity for the Authority's review.

(e)      BULK PURCHASE AGREEMENT. Prior to release of funds for construction, the Recipient shall submit an executed "Bulk Purchase Agreement" for the Authority's review.

(f)      RURAL WATER CONNECTION FEE PROJECTS. Prior to release of funds for payment of a connection fee, the Authority shall receive and review a copy of the water purchase agreement which outlines the basis for determining the connection fee; a signed letter with the engineer's seal from the project engineer which certifies that construction is complete and water service is available to the Recipient; and a formal invoice from the Subrecipient which requests payment of the connection fee and provides a breakdown of the Federal and local dollar amounts. The Request for Payment/ Activity Status Report for the connection fee will not be processed until the Authority has received the required documentation listed in this Article.

(g)      STATE BUILDING CODE BUREAU APPROVAL. Bidding for construction shall not be conducted prior to the written approval of the final plans by the State Building Code Bureau of the Iowa Department of Public Safety.

(h)      FAÇADE EASEMENTS. Prior to release of funds for construction, the Recipient shall submit, as appropriate, signed copies of all façade easements and construction agreements with property owners when required for downtown revitalization projects.

(i)      STORMWATER DESIGN AND CONSTRUCTION DOCUMENTS. Prior to bidding, the Recipient shall submit project final design and construction documents for the Authority to review for consistency with "Budget Activity" subsequently approved by the Authority. Recipient shall also consult with Iowa Department of Agriculture and Land Stewardship (IDALS)

Urban Conservation Program Team on project stormwater management designs at 30, 60, 90 percent, and final design. The Recipient shall then secure and upload to [www.iowaGrants.gov](http://www.iowaGrants.gov) a letter from IDALS confirming stormwater management designs meet the requirements of the Iowa Green Streets Criteria and the Iowa Stormwater Management Manual (as applicable).

(j) PERPETUAL RESTRICTIONS. Prior to release of funds for acquisition, the Recipient shall provide the Authority evidence that appropriate perpetual deed restrictions and agreement for covenants and restrictions as required pursuant to Sections 5.9 and 5.10 of this Contract.

(k) DESIGN. Prior to the Grantee's Recipient's obligation of funds for construction, the Grantee Recipient will demonstrate that the engineering design for a Project is feasible, prior to obligation of funds by the Grantee Recipient for construction. This demonstration is satisfied if a registered professional engineer (or other design professional) certifies that the design meets the appropriate code or industry design and construction standards (as applicable)."

3. **AMEND** Article 10.1 DOCUMENTS INCORPORATED BY REFERENCE. by revising date of Attachment C, "CDBG Program General Provisions," dated February 24, 2016 and adding (f) Attachment D "National Disaster Resilience Policies and Procedures Manual and the incorporated Program Specific Guidelines"

"(c) Attachment C, "CDBG Program General Provisions," dated ~~February 24, 2016~~ May 1, 2017."

"(f) Attachment D, State of Iowa's Community Development Block Grant National Disaster Resilience Policies and Procedures Manual and the incorporated Program Specific Guidelines as found on the Authority's website at <https://www.iowaeconomicdevelopment.com/Community/NDR>."

4. **AMEND** Article 10.2 ORDER OF PRIORITY. by revising date of Attachment C, "CDBG Program General Provisions," dated February 24, 2016 and adding (g) Attachment D "National Disaster Resilience Policies and Procedures Manual and the incorporated Program Specific Guidelines"

"(b) Attachment C, "CDBG Program General Provisions," dated ~~February 24, 2016~~ May 1, 2017."

"(g) Attachment D, State of Iowa's Community Development Block Grant National Disaster Resilience Policies and Procedures Manual and the incorporated Program Specific Guidelines as found on the Authority's website at <https://www.iowaeconomicdevelopment.com/Community/NDR>."

5. **AMEND** Attachment C, "CDBG Program General Provisions," dated October 4, 2016 by revising date of Attachment C:

#### **"ATTACHMENT C**

#### **GENERAL PROVISIONS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ~~October 4, 2016~~ May 1, 2017"**

6. **AMEND** ATTACHMENT C, GENERAL PROVISIONS, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, May 1, 2017 by adding a new section 18.0 and renumbering the existing 18.0 IOWA ECONOMIC DEVELOPMENT AUTHORITY FRAUD AND WASTE POLICY to number 19.0:

#### **"18.0 PROCUREMENT.**

For purposes of this agreement Cities and Counties are required to adopt the federal procurement policies and procedures that align with Federal provisions of 2 CFR 200.318-200.326. The Procurement Policy is found in "Iowa Community Development Block Grant Management Guide", as found on the Authority's website at [www.iowaeconomicdevelopment.com/Community/CDBG](http://www.iowaeconomicdevelopment.com/Community/CDBG).

#### **~~"18.0~~ 19.0 IOWA ECONOMIC DEVELOPMENT AUTHORITY FRAUD AND WASTE POLICY."**

7. **AMEND** Attachment A, "Program Description" by replacing the first paragraph with the following paragraph:

"The following "Program Description" is incorporated into the recipient's IowaGrants.gov account. Cost projections and tasks per quarter considered a starting point. Future modifications to be requested through IowaGrants.gov. The following "Program Description" is incorporated into the recipient's IowaGrants.gov account. Cost projections and tasks per quarter are considered a starting point based on an estimate of expenses and deviations are allowable. The IEDA Project Manager will track actual quarterly spending for each partner and compare this to the projected quarterly spending as listed in Attachment A of the project contract. The spending tracker worksheet will be stored in the iowagrants.gov Required Uploads tab, Quarterly Budget and Plan, for each partner and updated quarterly by the Program Manager. The program guidelines, as found on the Authority's website at <https://www.iowaeconomicdevelopment.com/Community/NDR> State of Iowa's Community Development Block Grant National Disaster Resilience Policies and Procedures Manual and the incorporated Program Specific Guidelines, outline how deviations from the estimated spending will be addressed."



8. **AMEND** Attachment A, "Program Description" by reducing 172-01 – Watershed Planning Pre-agreement expenses from \$52,100 to \$35,753:

**"172-01 – Watershed Planning    Pre-Agreement Expenses –~~\$52,100~~ \$35,753."**

9. **AMEND** Attachment A, "Program Description" by replacing the Cost Projections & Activity per Quarter original attached spreadsheet with a revised attached spreadsheet:

### **Cost Projections & Activity per Quarter**

(See attached Attachment A Updated May 2017 spreadsheet)"

10. **AMEND** contract by adding Attachment D, National Disaster Resilience Policies and Procedures Manual and the incorporated Program Specific Guidelines:

"Attachment D, State of Iowa's Community Development Block Grant National Disaster Resilience Policies and Procedures Manual and the incorporated Program Specific Guidelines as found on the Authority's website at <https://www.iowaeconomicdevelopment.com/Community/NDR>.\*

\*The Recipient shall note that the NDR Policy and Procedures Manual includes Program Specific Guidelines relevant as follows:

- a) Community Development Block Grant – National Disaster Resiliency (CDBG-NDR) Iowa Watershed Approach Guidelines: Infrastructure
- b) Community Development Block Grant – National Disaster Resiliency (CDBG-NDR) Iowa Watershed Approach Guidelines: Bee Branch Healthy Homes Resiliency Program
- c) Community Development Block Grant – National Disaster Resiliency (CDBG-NDR) Iowa Watershed Approach Guidelines: Watershed Projects
- d) Community Development Block Grant – National Disaster Resiliency (CDBG-NDR) Iowa Watershed Approach Guidelines: Planning Partners

The Authority cannot overemphasize the importance of the Recipient following the respective Program Specific Guidelines."

Except as otherwise revised above, the terms, provisions, and conditions of the Contract remain unchanged and are in full force and effect.

**RECIPIENT: CITY OF DUBUQUE**

BY: \_\_\_\_\_  
Mayor

**IOWA ECONOMIC DEVELOPMENT AUTHORITY**

BY: \_\_\_\_\_  
Timothy R. Waddell, Division Administrator

|   |     |              |              |              |              |              |              |              |              |              |              |              |             |             |             |             |             |             |             |           |           |
|---|-----|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-----------|-----------|
| Dubuque   |     |              |              |              | 2017         |              |              |              | 2018         |              |              |              | 2019        |             |             |             | 2020        |             |             |           | 2021      |
| Updated May 2017                                |     |              |              |              |              |              |              |              |              |              |              |              |             |             |             |             |             |             |             |           |           |
|   | JUN | SEP          | DEC          | MAR          | JUN          | SEP          | DEC          | MAR          | JUN          | SEP          | DEC          | MAR          | JUN         | SEP         | DEC         | MAR         | JUN         | SEP         | DEC         | MAR       | JUN       |
| Bee Branch Creek Railroad Culverts (w/Sanitary) |     |              |              |              |              |              |              |              |              |              |              |              |             |             |             |             |             |             |             |           |           |
| 22nd Street Storm Sewer Improvements            |     |              |              |              |              |              |              |              |              |              |              |              |             |             |             |             |             |             |             |           |           |
| 17th St Storm Sewer Improvements                |     |              |              |              |              |              |              |              |              |              |              |              |             |             |             |             |             |             |             |           |           |
| W. Locust Storm Sewer Improvements              |     |              |              |              |              |              |              |              |              |              |              |              |             |             |             |             |             |             |             |           |           |
| EXPENSE   |     | \$0          | \$0          | \$5,500      | \$183,000    | \$551,000    | \$760,000    | \$192,000    | \$695,000    | \$615,000    | \$90,000     | \$375,000    | \$2,170,000 | \$2,252,000 | \$1,670,000 | \$1,260,000 | \$2,050,000 | \$1,440,000 | \$555,000   | \$228,000 | \$32,000  |
| HUD DRAWDOWN                                    |     | \$0          | \$0          | \$5,500      | \$183,000    | \$551,000    | \$760,000    | \$192,000    | \$695,000    | \$615,000    | \$90,000     | \$375,000    | \$2,170,000 | \$2,252,000 |             |             |             |             |             |           |           |
| LOCAL LEVERAGE                                  |     | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0         | \$0         | \$1,670,000 | \$1,260,000 | \$2,050,000 | \$1,440,000 | \$555,000   | \$228,000 | \$32,000  |
| HUD BALANCE                                     |     | \$23,100,000 | \$23,100,000 | \$23,087,500 | \$22,793,500 | \$21,480,500 | \$19,594,500 | \$19,004,500 | \$17,244,500 | \$15,364,500 | \$14,288,500 | \$13,613,500 | \$7,923,500 | \$1,131,500 | \$0         | \$0         | \$0         | \$0         | \$0         | \$0       | \$0       |
|   |     | YEAR 1       | YEAR 1       | YEAR 1       | YEAR 1       | YEAR 2       | YEAR 2       | YEAR 2       | YEAR 2       | YEAR 3       | YEAR 3       | YEAR 3       | YEAR 3      | YEAR 4      | YEAR 4      | YEAR 4      | YEAR 4      | YEAR 5      | YEAR 5      | YEAR 5    | YEAR 5    |
|   |     | QTR 1        | QTR 2        | QTR 3        | QTR 4        | QTR 1        | QTR 2        | QTR 3        | QTR 4        | QTR 1        | QTR 2        | QTR 3        | QTR 4       | QTR 1       | QTR 2       | QTR 3       | QTR 4       | QTR 1       | QTR 2       | QTR 3     | QTR 4     |
| EXPENSE   |     | \$0          | \$0          | \$12,500     | \$294,000    | \$1,313,000  | \$1,886,000  | \$590,000    | \$1,760,000  | \$1,880,000  | \$1,076,000  | \$675,000    | \$5,690,000 | \$6,792,000 | \$6,010,000 | \$2,780,000 | \$5,880,000 | \$4,944,000 | \$2,789,000 | \$785,250 | \$362,000 |
| HUD DRAW  |     | \$0          | \$0          | \$12,500     | \$294,000    | \$1,313,000  | \$1,886,000  | \$590,000    | \$1,760,000  | \$1,880,000  | \$1,076,000  | \$675,000    | \$5,690,000 | \$6,792,000 | \$1,131,500 | \$0         | \$0         | \$0         | \$0         | \$0       | \$0       |
| LOCAL LEVERAGE                                  |     | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0         | \$0         | \$4,878,500 | \$2,780,000 | \$5,880,000 | \$4,944,000 | \$2,789,000 | \$785,250 | \$362,000 |
| Engineering/Design                              |     | 0.00%        | 0.00%        | 0.23%        | 5.71%        | 23.68%       | 37.35%       | 48.34%       | 59.51%       | 66.59%       | 72.27%       | 75.53%       | 78.14%      | 80.65%      | 83.16%      | 85.12%      | 86.80%      | 87.91%      | 89.03%      | 90.15%    | 91%       |
| ROW   |     | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 100%         | 100%         | 100%         | 100%         | 100%         | 100%         | 100%        | 100%        | 100%        | 100%        | 100%        | 100%        | 100%        | 100%      | 100%      |
| Construction                                    |     | 0.00%        | 0.00%        | 0.00%        | 0.00%        | 0.76%        | 2.28%        | 2.28%        | 5.21%        | 9.00%        | 10.95%       | 12.22%       | 26.06%      | 42.70%      | 57.37%      | 63.94%      | 78.40%      | 90.54%      | 97.38%      | 99.17%    | 100%      |
| ADMINISTRATION COSTS                            |     | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875   | \$7,875   |
| HUD DRAW  |     | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875      | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875   | \$7,875   |
| TOTAL HUD DRAW                                  |     | \$7,875      | \$7,875      | \$20,375     | \$301,875    | \$1,320,875  | \$1,893,875  | \$597,875    | \$1,767,875  | \$1,887,875  | \$1,083,875  | \$682,875    | \$5,697,875 | \$6,799,875 | \$1,139,375 | \$7,875     | \$7,875     | \$7,875     | \$7,875     | \$7,875   | \$7,875   |