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| --- | --- |
| GRANTEE/UGLG NAME: |  |
| DEHCR GRANT AGREEMENT #: |  |

#### FORCE ACCOUNT AFFIDAVIT

*If Force Account labor (i.e., construction related work by municipal employees) will be performed for the CDBG project, an authorized designated Unit of General Local Government (UGLG) representative (UGLG employee or official) must complete this Affidavit and email it to the assigned DEHCR Project Representative, with the email submission serving as the ‘electronic’ signature. Retain this document in the UGLG’s CDBG project files. Email the completed Affidavit to DEHCR prior to the Force Account work beginning on the CDBG project. Failure to submit this form prior to proceeding with work or requesting CDBG funds as reimbursement (if seeking reimbursement for costs) may trigger the regular Davis-Bacon Wage Rates applying to the labor on the CDBG project.*

I hereby certify that the \_ [Enter UGLG Name]\_\_ is using Force Account labor for \_\_[Enter Description of Type(s) of Construction-Related Work that will be Completed by Municipal Employees]\_ on the \_ [Enter Project Name/Title] Project, CDBG Grant Agreement # \_ [Enter CDBG Grant Agreement #] \_.

No overtime will be paid from CDBG funds unless the employee works in excess of their normal full-time work week, as stated in any existing labor contract or employment agreement, on the CDBG project.

Work hours and payroll records will be maintained for all employees that perform Force Account work on the CDBG project, with records for employees’ hours worked on the CDBG project separated from employees’ other regular (non-CDBG project) municipality work.

All Force Account associated payroll records (including a list of employees, job/position titles, dates of work on the CDBG project, type(s) of work performed, number of hours worked each date on the CDBG project, and payroll payment records) will be maintained in the CDBG project file.

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(UGLG Official or Designated Approver)**\*** (Title) (Date Certified)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Phone Number) (Email Address)

***\*****By entering the UGLG Official or Designated Approver name and information above, the UGLG Approver certifies the information provided is true and correct to the best of their knowledge; commits the UGLG to complying with the Force Account requirements and regulations, and certifies the Approver is authorized to submit this form on the UGLG’s behalf by the Chief Elected Official (CEO) or UGLG governing body, as designated on the CDBG project Signature Certification Form (submitted with the UGLG’s pre-agreement documents after Award), or through designation of regular or special duties approved by the governing body.*

#### REQUIRED DOCUMENTATION FOR FORCE ACCOUNT WORK

1. The UGLG must keep separate payroll records for hours worked on the CDBG project versus the hours worked on regular duties for the UGLG.

Force Account Worker Payroll Records must include the following for each Force Account employee:

* Employee full name;
* Employee hourly pay rate (wage + fringe benefits rate);
* Employee job/position title;
* Date(s) employee worked on the CDBG project;
* Nature of work completed (e.g., “street reconstruction” or “sidewalk construction” or “site clearance”, etc.)
* Number of hours worked exclusively on the CDBG project for each date (Note: A separate record for hours worked exclusively on the CDBG project vs. other non-CDBG work/duties must be maintained.); and
* Record(s) of date(s) and amounts of payment(s) for hours worked on the CDBG project, with payroll period records of payment (Note: A General Ledger record or similar official record with the details of work hours tracking and payroll payment records to employees is acceptable).

1. No overtime may be paid from CDBG funds unless the employee works in excess of their normal full-time work week, as stated in any existing labor contract or employment agreement, on the CDBG project.
2. The UGLG must submit payroll records as listed above for each employee working on the CDBG project for which the UGLG is requesting reimbursement with CDBG funds or is claiming as Matching funds costs, with **each** CDBG payment request for which the CDBG or Match costs are being requested/claimed.

*Refer to Chapter 8: Financial Management in the CDBG Implementation Handbook for additional guidance on requesting CDBG funds.*

***Important Note: To be in compliance with Labor Standards requirements, the UGLG must maintain the Force Account Affidavit and labor records in the CDBG project file, even if the UGLG is not seeking reimbursement from CDBG funds or claiming the costs as Match for the CDBG project.***

1. When requesting reimbursement from DEHCR for Force Account work costs, the UGLG **must** detail costs incurred. The UGLG may submit the payroll payment details from a General Ledger or other official summary record, showing the list of employees, jobs/positions, dates and hours worked, hourly wage + fringe rates, payment amounts and payment dates; or must record each employee payroll payment as separate payments with **separate** check/electronic funds transfer (ETF) transaction numbers on the *CDBG Disbursements Journal* (if CDBG funded) and *Matching Funds Journal* (if Match funded). Clearly indicate Force Account line items, (e.g. make notation of “Force Account” in the entry).

Any materials purchased or other costs incurred by the UGLG associated with the Force Account work for the project, for which the UGLG is requesting reimbursement with CDBG funds or claiming as Match costs, **must** be recorded separately on the CDBG financial journals and records of dates and costs incurred and details of calculations for costs must be provided with the CDBG payment request.

No CDBG funds will be released for Force Account work costs without accurate accounting of Force Account labor and expenses.