

**Tax Credit Allocation Committee (TCAC)  
Davis Bacon Pre-Proposal Conference  
Q&A**

1. Can the developer's consultants email TCAC electronic versions of their reporting or is a hard copy required?

No. TCAC is required to obtain a hard copy because payroll has to be a wet signature.

2. What is TCAC expecting to be sent from the contracted consultant in regards to monitoring reports, payrolls, etc.?

TCAC is required to demonstrate what steps were taken to make sure the projects comply with Davis Bacon requirements. TCAC will monitor the contracted consultant's work and report to HUD monthly with outstanding violations, missing information, response problems, and a summary of these violations being addressed before final disbursement or if a disbursement needs to be held due to outstanding violations.

3. When the contracted consultant monitors a project, does TCAC want a single review of the payroll and one jobsite interview or one interview with multiple payroll transmittals?

HUD regulations say weekly monitoring is required.

4. What is the protocol if the contracted consultant wants to use a monitoring done by another source already conducting a Davis Bacon review?

If Davis Bacon requirements already apply and another entity, a local funding source for example, is already monitoring, the contracted consultant does not need to duplicate the effort. The local entity would take the lead and would send the summary report to the contracted consultant who will then advise TCAC based on findings in the summary.

5. What does the summary TCAC sends to HUD need to include?

There are two reports for Davis Bacon required on occasion:

1. If an employer under-pays an employee by over \$1,000: a Title 29 CFR 5.7 report for proof of repayment would be required.
2. Every six months TCAC will report on the number of contracts awarded, the dollar amount, and any enforcement actions such as restitution.

6. If the consultant is preparing the Davis Bacon information for the developer is it a conflict of interest to monitor the project for TCAC?

HUD discourages this arrangement.

7. How does the consultant claim travel expenses?

For travel expenses incurred under the term of the future contract, the consultant can only be reimbursed at the current rates identified by the Department of Personnel Administration on their website - <http://www.dpa.ca.gov/personnel-policies/travel/hr-staff.htm>

8. Can TCAC provide all the project data of Davis Bacon projects?

Use this link to find projects awarded ARRA funds up to this point:  
[http://www.treasurer.ca.gov/ctcac/arra\\_apps/applicants.asp](http://www.treasurer.ca.gov/ctcac/arra_apps/applicants.asp)

For 2009 single funding round projects use this link:  
[http://www.treasurer.ca.gov/ctcac/2009/application/recommendations/geographic\\_approved.pdf](http://www.treasurer.ca.gov/ctcac/2009/application/recommendations/geographic_approved.pdf). The projects with an asterisk next to the name received ARRA funds.

9. How many contractors are working on the projects receiving ARRA funds?

Unknown, TCAC does not collect this data from developers.

10. Regarding jobsite visits, does the contracted consultant conduct one visit per jobsite or one visit per jobsite per trade?

The frequency of visits is not based on a fixed number of visits per site or the number of trades. If after the first visit the contracted consultant is comfortable with the outcome then no other visits would be necessary. If there were any problems then follow up visits would be needed until the contracted consultant is comfortable the project is in compliance.

11. The RFP says the bid estimate is priced on a per hour price, but in the conference TCAC suggested the bid estimate is to be priced on a cost per project monitoring basis, which is correct?

The per hour reference in the RFP is incorrect. TCAC wants the pricing on a per project monitoring basis.

12. Can TCAC provide a link to a full version of the RFP? The one on the site is incomplete.

Yes, we have this available, the link is:

13. What level of detail should the contracted consultant provide in their project pricing?

TCAC would need to see the pricing broken down on a per-project visit basis. Within this breakdown you can list the travel costs, level of staff conducting the visit, and their hourly rates.

14. Are the consultants required to compile information on the number of jobs retained?

No, the developers and their hired consultants are responsible for compiling and transmitting this data to TCAC separately.

15. What level of reporting is TCAC expecting from the contracted consultant within 15 days and can this be sent electronically or a hard copy?

TCAC is responsible for keeping copies of payroll for 3 years after completion of construction or after the final discrepancies are resolved. TCAC cannot accept an electronic version, so this would have to be an original copy.

16. Who will be reviewing the contract bids?

TCAC staff will review the bids.

17. Will the consultant TCAC hires be performing the same tasks as the consultants hired by project developers?

The TCAC consultant is being hired to provide a point of contact for the developer's consultants and provide TCAC staff with technical assistance. In addition, the developer's consultants will prepare information regarding the project's compliance with Davis Bacon requirements and submit it to the TCAC contracted consultant for review who will report to TCAC with a summary.

18. Is there a list of the Davis Bacon consultants hired for the individual ARRA funded projects?

No, TCAC does not collect this data from developers.

19. Is there any information about why TCAC plans on having monitoring completed by June 30 when the contract itself extends beyond that date?

All projects to be monitored should be under construction before June 30. TCAC may consider extending the contract, however the consultant should not rely on this possibility and move forward with the assumption the contract ends on June 30.

20. What level of monitoring is TCAC expecting the contracted consultant to perform if a project begins construction in May while the contracted work is expected to be completed by June 30?

The contracted consultant would need to perform the visit and a payroll review within the given 15 days. If there are ongoing concerns with projects the contract would either end or may be amended to allow for further review.

21. What level of expertise is required of their staff?

The information needed would include experience and qualifications of the personnel who will provide the services, their professional and educational background, and experience with Davis Bacon federal prevailing wage compliance including experience specifically related to low-income housing.

22. The references section asks for a work sample. What does TCAC want to see?

An example of a summary of findings the consultant has created for other clients regarding Davis Bacon Compliance would be a good sample.

23. On Page 4 Section IV do we want the full time of relationship with clients, current contract terms, or just related to Davis Bacon, or other prevailing wage contracts?

The information needed would include a list of clients the contracted consultant is currently assisting with Davis Bacon compliance. Include the nature of the work and the length of time associated with each client.

24. Does TCAC want an organization chart of the entire corporation or just the staff related to work on this particular contract?

TCAC wants to see both the full organization chart as well as a chart of staff assigned to the work related to this specific contract.

25. When listing personnel what does TCAC mean by the person with primary responsibility and the person with binding authority?

The person with primary responsibility is the person or people doing the work on the reviews. The person with binding authority is who signs contracts for the organization.

26. How will the work plan be assigned to the contracted consultant?

The work plan will be assigned by DC Navarrette, the staff contract manager for this contract. The plan will be sent out once a month.

27. Does the contracted consultant meet with the developers directly or at the job site?

The on-site visits would be at the job site where the interviews can be conducted with workers.

28. Is there HUD guidance for requirements for archiving information for our records?

TCAC has no specific format for archiving. The contracted consultant should provide everything related to their findings on each project including payrolls, notes, worksheets, and anything else used to determine the project's compliance with Davis Bacon requirements.

29. Will TCAC allow proposers to take exceptions to the general business terms included on [www.ols.dgs.ca.gov/standardlanguage?](http://www.ols.dgs.ca.gov/standardlanguage?)

No, there will not be any exceptions.

30. What is the contract vehicle number?

The contract vehicle number is CTCAC05-09.

31. Will the on-site monitoring and/or site visit require travel outside of the Sacramento area?

Yes, the travel is statewide.

32. The contract states the contracted consultant will review payrolls monthly. Does this mean the consultant will select one week's payroll from a 4 week month, or review 4 weeks all at one time?

The contracted consultant would review payrolls when they conduct their visit to the job site. When they prepare documentation of their findings they would submit the findings of this payroll review. If there are problems which require follow up, then TCAC would require further reporting until the contracted consultant is confident the project is complying with Davis Bacon requirements.