

NOTICE TO PROCEED

Ophir Road Rehabilitation Project, County of Butte

Pursuant to the Master Standard Agreement ("Agreement") entered into on the 6th day of June 2023, by and between the California Department of Housing and Community Development ("Department") and County of Butte ("Subrecipient"), this NOTICE TO PROCEED is entered into on the date per the date signed by the Department below. This NTP sets forth specific details concerning the individual project proposed by Subrecipient for the Stand-Alone Disaster Recovery Infrastructure Project located at the project address listed below and related approved activities by Subrecipient, as required. This Project is subject to, and hereby incorporates by this reference, the terms of the Agreement and is subject to the overall program funding allocation amount for Subrecipient as determined by the Department and set forth in the Agreement. There may be other Projects either already existing under the Agreement, or that may be proposed in the future. The budget for this Project, when added together with the total cumulative budget of all existing Approved Projects for Subrecipient, may not exceed the total funding allocation for Subrecipient.

1. Project Details

Project Name: Ophir Road Rehabilitation Project

Project Address: 39.5548, -121.5689

Project Description: Restore 1.63 miles of Ophir Road, starting from Caltrans right of way at Hwy 70 to the intersection of Ophir Road at Lincoln Blvd.

2. Project Budget and Project Scope of Work

A. The Project shall follow the budget and scope of work (hereinafter "Project Work") as described in the attached Project Application and on file through Grants Network, which is incorporated herein by reference.

1) Total Project Cost: \$3,323,877

a) Total DR-Infrastructure Award: \$3,323,877

i. Activity Costs (Project Costs): \$2,642,977

ii. Activity Delivery Costs: \$680,900

2) Other funding sources (only applicable if total project cost is more than DR award amount): \$0.00

B. All written materials or alterations submitted as addenda to the original Project Application, and which are approved in writing by the Department Contract Coordinator, as appropriate, are hereby incorporated as part of the Project

Application. The Department reserves the right to require the Subrecipient to modify any or all parts of the Project Application in order to comply with DR-Infrastructure, federal and/or state regulations or requirements.

- C. Any proposed revision to the Project Work must be submitted in writing for review and approval by the Department and may require an amendment to this NTP. Any approval shall not be presumed unless such approval is made by the Department in writing in its sole and absolute discretion.
- D. Subrecipient shall withhold as retention 10% of all DR-Infrastructure funded Contractor payments. No retention payments shall be released to the Contractor or reimbursed to the Subrecipient until receipt and approval by the Department of all required Approved Project completion documents identified in Exhibit B, Section 6 of the Agreement.

3. **Performance Milestones and Project Schedule, and Expenditure Deadline**

The Agreement is effective on the date shown in the STD213 form. Subrecipient shall meet all milestones identified in the Agreement, particularly those identified in Exhibit A and B and as provided below. Failure to meet performance milestones can result in the Department taking action to withhold future payments from any project and requiring a mitigation plan, as outlined in Exhibit A Section 6.B of the Agreement.

- A. Expenditure Deadline:
The Expenditure Deadline for Activity funds is December 1, 2025. With the exception of the grant closeout procedures set forth in Exhibit B, Section 6, the Subrecipient shall complete all Approved Project activities on or before the Expenditure Deadline. Project closeout activities are due on the contract expiration date.
- B. Performance Milestones: Subrecipient shall adhere to the performance milestones below. Time is of the essence with respect to all such milestones.
 - 1) Subrecipient shall submit all Project applications to the Department by the application deadline identified in the then applicable 2018 DR-Infrastructure Policies and Procedures.
 - 2) No later than October 31, 2024, Subrecipient shall satisfy all conditions required for the Department to issue a Notice to Proceed for all Approved Projects.

- 3) No later than March 1, 2025, Subrecipient shall provide evidence of construction, reconstruction, acquisition, or rehabilitation on all Approved Projects.
- 4) No later than March 3, 2026, Subrecipient shall provide all required closeout documentation as detailed in Exhibit B, Section 5 herein, for all Approved Projects.
- 5) Subrecipient must expend 50% of the Subrecipient Allocation at least 12 months prior to the agreement expiration date as set forth in Section 2 of the STD 213.
- 6) Subrecipient must submit project applications for their entire allocation amount of DR-Infrastructure funds by the application deadline. If Subrecipient fails to do so, the Department reserves the right to deobligate, recapture, and/or reallocate the Subrecipient's allocation amount in this Agreement by the amount not applied for.
- 7) There are no additional milestones.

C. Project Schedule:

See Attachment 2 for the project schedule. The Department understands that the project schedule tasks and dates will be adjusted outward from the effective date of the NTP. Notwithstanding such adjustments of the schedule, in no event shall performance milestones mentioned above be similarly extended, delayed, or postponed. Subrecipient shall provide the Department updates on the status of meeting the project schedule at minimum of a quarterly basis, or more frequently as specified by the Department (i.e. monthly). Subrecipient will provide this update in Activity Report submitted through Grants Network.

4. **Reporting Requirements**

- A. Subrecipient must timely submit the reports prescribed below. The Department reserves the right to request additional detail and support for any report made. Reports must be made according to the dates identified, in the formats provided by the Department and via the Department's Grants Network unless otherwise specified at the discretion of the Department. The Subrecipient's performance under this Agreement will be assessed in part on whether it has submitted the reports on a timely basis.
 - 1) **Monthly Activity Report:** Subrecipient must submit a Monthly Activity Report that addresses the following, at a minimum: (1) a description of the current status of the Project Work; (2) a description of activities to be

undertaken in the next reporting period; (3) a description of problems or delays encountered in Project Work and course of action taken to address them; (4) a description of actions taken to achieve Project Work expenditure deadlines; (5) a summary of Project Work fiscal status, including award amount, funds drawn, and remaining balance; and (6) data on activity accomplishments and beneficiaries served, as requested by the Department. Unless otherwise waived in writing by the Department, Monthly Activity Reports must begin on the 10th calendar day of the second month following execution of this Agreement and must continue through the receipt and approval by the Department of the Project Completion Report, detailed below.

- 2) Monthly Program Income Report: Program Income, if identified as a funding source for any approved Project, must be included in the Project budget and must be expended prior to drawing Grant Funds. During the term of this Agreement, if Program Income is generated, the Subrecipient must submit a Monthly Program Income Report certifying the amount of Program Income generated, retained, and expended. Program Income remaining at the end of each quarter and at the expiration of this Agreement must be remitted to the Department.
- 3) Semi-Annual Labor Standards Report and Section 3 Requirements: During the term of construction for each Approved Project, each April 1st and October 1st, the Subrecipient must submit the Labor Standards Cover Memo, the HUD Form 4710 and the Davis Bacon Labor Standards Report 5.7 (if applicable). These forms are located on the Department website and are also available upon request. Additionally, the Department may request additional documentation to meet Section 3 requirements.
- 4) Project Completion Report: At the completion of construction and once a Project is placed in service, the Subrecipient must submit a Project Completion Report. The report must also include documentation of compliance with Section 3 requirements.

5. Special Conditions

No Special Conditions

By signing below, Subrecipient acknowledges and agrees to all terms and conditions of this Notice to Proceed. All terms and conditions set forth herein are deemed fully incorporated into and made a part of the Agreement.

Authorized Signatory:

Maximo A. Pichot

[Subrecipient Name]

Date 2/4/2025



Signatory Name and Title

Authorized Signatory:

Patrice Clemons, Acting Branch Chief

California Department of Housing and Community Development

Date

Patrice Clemons, DR Community Development Acting Branch Chief

2/6/2025

Signatory Name and Title

Enclosure(s):

1. Project Application
2. Subrecipient Project Schedule

ATTACHMENT 1
PROJECT APPLICATION

Applications: Butte County Ophir Road Rehabilitation Project

Section I: Project Profile

Please note: Not all questions will be asked for each project so the numbering will be off at times.

Profile

CommunityDevelopment@buttecounty.net

1. Project Title

Butte County Ophir Road Rehabilitation Project

Help Text: [Jurisdiction Name] - [Project Name] Example: Sacramento County-public school hardening

2. Eligible Applicant (City/County)

Butte County

3. Will the Eligible Applicant have a secondary subrecipient on this project?

No

Help Text: Eligible Applicants may partner with another unit of local government, special district or similar entity

4. What is the Project Type?

Stand-alone Infrastructure

5. How is this project an eligible CDGB activity? (Select all that apply)

Reconstruction

Help Text: Eligible CDBG activities include, but are not limited to, the acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements.

6. Project Description and/or Scope of Work

The Ophir Road Rehabilitation Project will restore 1.63 miles of Ophir Road, starting from CalTrans right of way at Hwy 70 to the intersection of Ophir Road at Lincoln Blvd. The project will restore the road to its original design, function and capacity. Of this total distance, 1.06 miles of the roadway fall under the jurisdiction of Butte County, while the remaining 0.57 miles is within the city limits of Oroville. The County of Butte and City of Oroville will collaborate to deliver this critical rehabilitation, treating it as one project as ratified by a "Memorandum of Understanding" with Butte County serving as the lead agency.

Ophir Road was damaged by thousands of large recovery trucks accessing the several recovery sites along the roadway. The extraordinary number and weight of debris removal trucks resulted in significant road damage at an expedited rate, with the Pavement Condition Index dropping from 76 to as low as 43 in some sections. There was an average daily increase of 2,347 vehicles on Ophir after the Camp Fire. Four out of five road lengths are rated "poor" on the Pavement Condition Index. Assessments show Alligator cracking, and severe longitudinal and transverse cracks.

Repair and rehabilitation work will include replacement or restoration of roadway, attached or adjacent features such as survey monuments, pipe culverts, AC dike, driveway aprons, thermoplastic striping, traffic markers, and other items directly impacted by activities involving the road repair and rehabilitation work. The design life of 20 years will be consistent with engineering standards and will increase the structural resilience of the roadway, in order to return it to pre-disaster functionality.

Help Text: Provide a narrative description that includes project location and the benefits of the project for disaster recovery, mitigation, resilience, low-to moderate-income populations, and the most impacted and distressed areas. refer to P&P 3.1.7

SECTION II: Tie-Back

7. Explain how the proposed project ties back to DR-4382 and/or DR-4407

Ophir Road is a collector road in the South Oroville area that provides access to a network of housing, and to an industrial area actively used for Camp Fire recovery efforts. Thousands of heavy-laden debris and tree removal trucks used Ophir Road to deliver materials to five lumber plants and one metal plant. Subcontractors, including FEMA and PG&E, also used the road for storage and operations at five sites on Ophir. The extraordinary number and weight of debris removal trucks resulted in significant road damage at an expedited rate, with the Pavement Condition Index dropping from 76 to as low as 43 in some sections. There was an average daily increase of 2,347 vehicles on Ophir after the Camp Fire. Four out of five road lengths are rated "poor" on the Pavement Condition Index. Assessments show Alligator cracking, and severe longitudinal and transverse cracks.

As a result of the approximately 56,000 people displaced from the fire, there has been a tremendous and sustained population shift within the county. Oroville has experienced 8.4% growth from 2018 to 2019, compared to California's 0.02% rate of change, indicating a clear, remarkable population shift from the burn scar areas to Oroville (DOF). Investing in road infrastructure begins to address the unmet housing recovery need.

We have provided traffic counts pre and post fire to show the increase in the traffic due to the debris and tree removal trucks. Additionally, we have shown the population change data to show the population shift as an additional disaster tie back.

Help Text: Provide a clear description of how the proposed project will address an unmet need that ties directly to DR-4382 and/or DR-4407.

8. Tie-back documentation

Butte County-Ophir-Disaster Tie Back PI.pdf

Help Text: The documentation should demonstrate a clear tie back to the 2018 disasters. See Section 2.2.1 of the DR-Infrastructure Policies and Procedures on types of documentation.

SECTION III: FEDERAL MATCH PROGRAM INFORMATION

9. Was this project submitted for FEMA PA or FEMA HMGP?

No

9c. If project was not submitted for FEMA explain why.

SECTION IV: PROJECT INFORMATION

13. Project Timeline

Butte County-Ophir-Timeline.docx

Help Text: Please provide a timeline of the submitted project. (GANTT Chart, Excel, Graphic Timeline, etc)

14. Project Address and Street

Ophir Road, Oroville, California, 95965

Help Text: Only applicable if the project has an address

15. Project City

South Oroville

16. Project Zip Code

95965

17. Project Latitude and Longitude

39.5548, -121.5689

Help Text: Provide the latitude and longitude of the center of the project and format of the location in decimal form (e.g. 39.332962, -123.22534)

18. Project Status

Design and Engineering Underway

Help Text: Provide the current status of the project.

SECTION V: NATIONAL OBJECTIVE

18DRINFRA-18001
NOI Date: 02/01/2022
Approved Date: 10/04/2022
Prep Date: 01/24/2025

19. What is the National Objective being met by this project?

Urgent Need (UN)

Help Text: In accordance with 24 CFR 570.208, all CDBG-DR funded activities must meet a national objective.

20. Explain how the proposed project meets the Urgent Need National Objective

The County Board of Supervisors certifies that the Ophir Road Rehabilitation Project for which CDBG-DR funds are being requested, is designed to alleviate existing conditions which pose a serious and immediate threat to the health and welfare to the citizens of the County of Butte which are of recent origin or which recently became urgent during and immediately following the 2018 disaster(s); and that the County of Butte has not obligated other funds for this project, and that other funds that may otherwise be available are designated for other critical issues.

Help Text: Describe how the project is meeting the Urgent Need National Objective. See P&P 2.2.2

SECTION VI: PROJECT SERVICE AREA

22. Upload Project Location Map

Butte County Ophir Location Map Revised.pdf

Help Text: The location map needs to show the outline of the project area within the context of the town/region. The map should have minimal layers (jurisdiction boundaries, arterial roads, and the outline of the project area)

24. Service Area Description

Ophir Road is a collector road in the south Oroville area that provides access to a network of housing and to an expanding industrial area. While initially provides access to the industrial area off Highway 70, it then feeds into several Census Places for housing; the more densely populated City of Oroville and South Oroville, and the more remote East Oroville and Palermo communities. The County of Butte and the City of Oroville have facilitated new housing development throughout the Oroville area which will benefit from this significant road repair.

Help Text: Describe how the service area of the project was determined (only for projects qualifying under the Urgent Need and LMI Area Benefit National Objectives)

25. Upload Project Service Area Map Including Relationship to the MID

Ophir Road - Service Area Map.pdf

Help Text: Upload a map showing the area served by the proposed project with a clear outline. The map should also identify the HUD Most Impacted and Distressed (MID) area served by the project

SECTION VII: ENVIRONMENTAL

26. Has a NEPA Environmental Review or Record of Environmental Consideration been completed?

No

Help Text: Environmental review is required for all projects. If you have not completed an environmental review, remember to include this in your project timeline.

26a. If no, provide your plan to complete a NEPA Environmental Review

A Request for Qualifications for an Environmental Consultant was released in October 2023, proposals received in November, and a selection was made in the first week of December. The road reconstruction is within the existing road footprint, so it is anticipated the environmental documentation will be completed by Spring of 2024 to bid the project for construction at the earliest in Summer 2024.

Help Text: Provide the expected level of review, who will be responsible for completing the report (city/county staff or consultant), status of the NEPA environmental review, and estimated completion date
Help Text: Provide the expected level of review, who will be responsible for completing the report (city/county staff or consultant), status of the NEPA environmental review, and estimated completion date

27. Has a CEQA Environmental Review been completed?

No

SECTION VIII: BUDGET

28. Total Project Cost (\$ amount)

\$3,323,877.00

Help Text: Provide overall project cost to complete entire project

18DRINFRA-18001
NOI Date: 02/01/2022
Approved Date: 10/04/2022
Prep Date: 01/24/2025

29. Total Amount Requested from HCD (\$ amount)

\$3,323,877.00

Help Text: Total Amount Requested from HCD including Direct Project Costs and Activity Delivery Costs

30. Are there any project funds that are not committed?

No

31. Provide cost estimate documentation (from a professional engineer, etc.)

Butte County - Ophir - Engineers Estimate.pdf

Help Text: The documentation should clearly demonstrate the reasoning of the cost estimate and support the description of the cost estimate

32. Upload Complete Project Budget

Butte County - Ophir - Budget.xlsx

Help Text: Upload a completed Project Budget Worksheet provided by HCD. see P&P 3.1.7

SECTION IX: DUPLICATION OF BENIFITS (DOB)

33. Upload DOB Affidavit

Butte County-Ophir-DOB.pdf

33. Further Supporting Documentation

34. Further Supporting Documentation

Butte County-BCAG_Traffic_Counts-Debris Route-Disaster Tie Back.pdf

35. Further Supporting Documentation

Butte County-Oroville Population Shift-Disaster Tie Back.pdf

36. Further Supporting Documentation

Butte County-BCAG_Traffic_Counts-Debris Route-Disaster Tie Back.pdf

37. Further Supporting Documentation

View Budget Worksheet

<https://portal.ecivis.com/peerBudget/790C07CB-396E-433A-8A1B-32948CE5BC59>

Average Score

0.00

Org Name

Application Goals

View Application Goals

<https://portal.ecivis.com/peerGoals/E7851AD3-AEFA-4331-9D1B-787672DF4077>

of Reviews

2

of Denials

0

Radio Button

Applications: File Attachments

13. Project Timeline

Butte County-Ophir-Timeline.docx

22. Upload Project Location Map

Butte County Ophir Location Map Revised.pdf

25. Upload Project Service Area Map Including Relationship to the MID

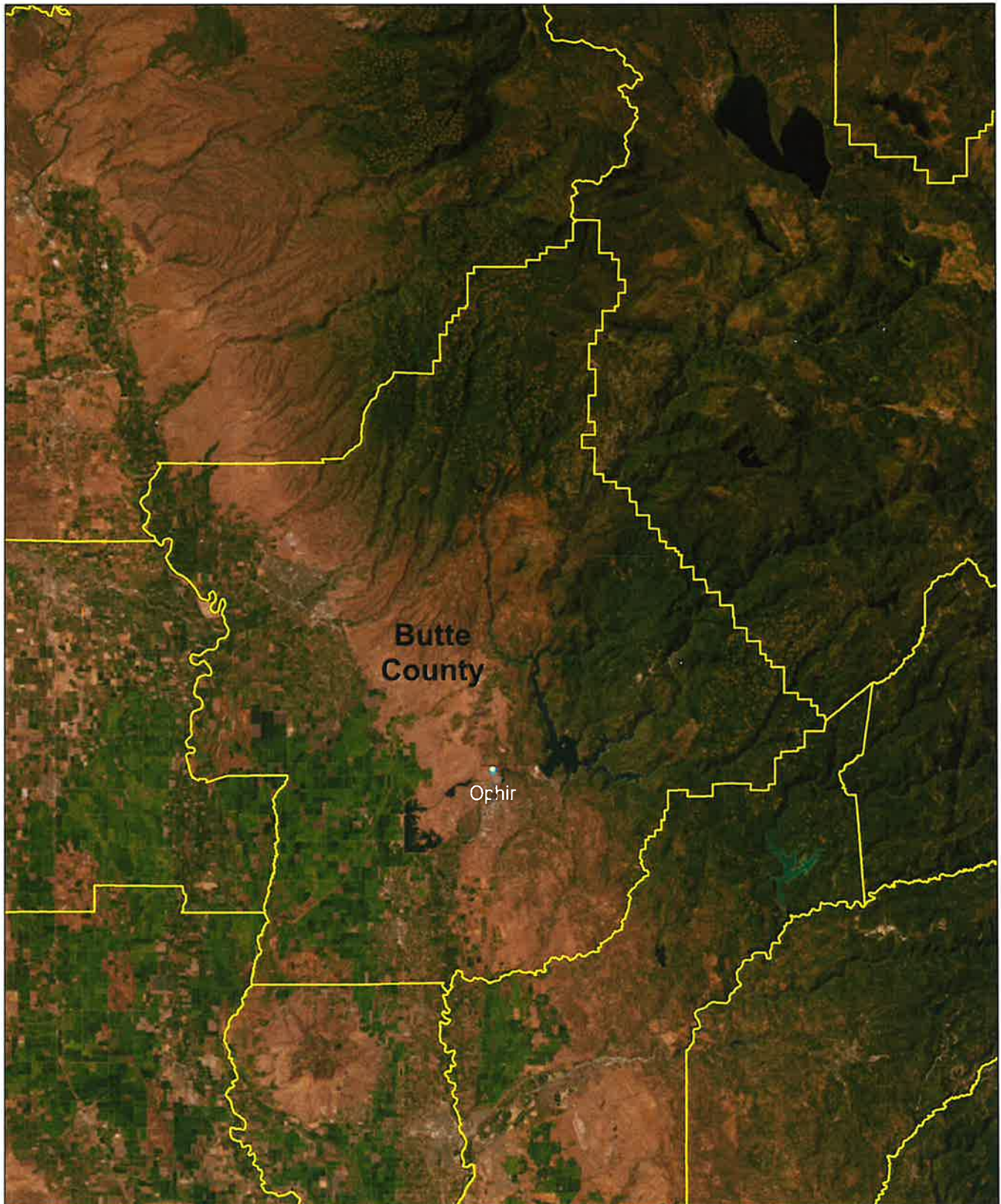
Ophir Road - Service Area Map.pdf

33. Upload DOB Affidavit


Butte County-Ophir-DOB.pdf

Ophir Road Rehabilitation Project - MID

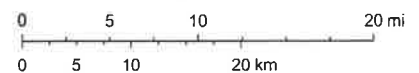
County of Butte
18DRINFRA-18001-00019
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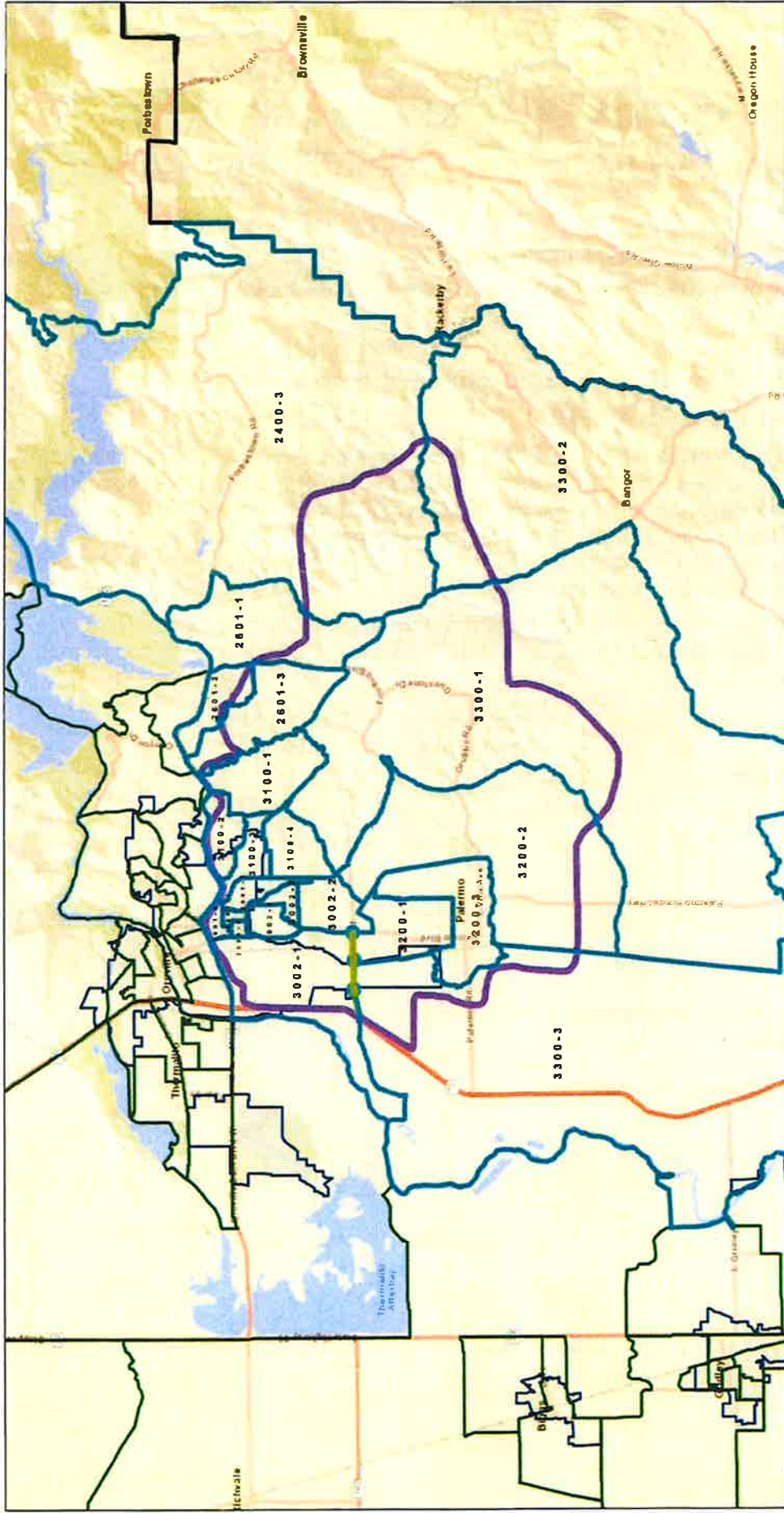
 LMISD by County

1:577,791



Earthstar Geographics

Ophir Road Project - LMI



1:144,448

0 1.25 2.5 5 mi
0 2.25 4.5 9 km

Butte County, Bureau of Land Management, Esri, HERE, Garmin, NGA, USGS, NPS

- Service Area
- Roadway Segment
- Block Groups
- Butte County Boundary
- Census Blocks
- City Limits

DUPLICATION OF BENEFITS AFFIDAVIT

Butte County Ophir Road Rehabilitation Project

INSTRUCTIONS

The affidavit is divided into three (3) components:

1. Disaster recovery assistance, insurance, and/or other assistance received
2. Attachments
3. Signature(s)

Read each component in full and provide the accurate information.

Part 1. Duplication of Benefits Affidavit

This affidavit must be completed by all applicant(s) that have applied for and/or received any assistance from the CDBG-DR funded State of California 2018 DR-Infrastructure Program being offered by the California Department of Housing and Community Development (HCD). The information within this affidavit will provide the California Department of Housing and Community Development (HCD) with vital information for processing the application required by the Stafford Act Section 312 on Duplication of Benefits.

In the table below, indicate with an "X" the program(s) for which you are applying AND any program you have received funds from. Also state the purpose of the assistance and current status of the funds.

Source	Purpose of Assistance <i>Ex: Rehabilitation & improvements of roads</i>	Current Status of Funds <i>Ex: Obligated from FEMA, Pending Approval, etc.</i>	Amount Received (\$)
<input type="checkbox"/> Insurance			
<input type="checkbox"/> FEMA Public Assistance (PA)			
<input type="checkbox"/> FEMA Hazard Mitigation Grant Program (HMGP)			
<input type="checkbox"/> CARES Act / American Rescue Plan Act			
<input type="checkbox"/> U.S. Army Corps of Engineers			
<input type="checkbox"/> State of California			
<input type="checkbox"/> Utility Settlement			
<input type="checkbox"/> Budgeted Local Funds			

Part 2. Attachments

Attached to this affidavit are copies of any and all acceptable document for each of the above referenced sources of funds identified as a result of the Major Disaster Declarations DR-4382 from July to September 2018 and DR-4407 in November 2018.

Part 3. Signature(s)

I certify that the information provided in this questionnaire is true and accurate to the best of my knowledge. I understand that if this information is not correct, it may affect the amount of any funds I may receive or may lead to the recapture of disbursed funds by HCD and/or HUD.

Máximo A. Pickett

Butte County Chief Administrative Officer

Applicant Printed Name

N/A

Co-Applicant Printed Name



Applicant Signature

N/A

Co-Applicant Signature

Dated this the 1st day of December, 2023.

WARNING: The information provided on this form is subject to verification by the State of California and the U.S. Department of Housing and Urban Development (HUD) at any time. Title 18, Section 1001 of the U.S. Code states that knowingly and willingly making a false or fraudulent statement to a department of the United States Government can result in termination of assistance and civil and criminal penalties.

Budget Report

Passthrough Agency: California Department of Housing and Community Development
 Program: 18-DR-Infrastructure Project Applications
 Project Name/Title: Butte County Ophir Road Rehabilitation Project
 Org Name:
 Award/Contract Number: 18-DRINFRA-18001-00019
 Stage: Pre-Award

Report Date: 01/29/2025
 Requested By: Community Development County of Butte
CommunityDevelopment@buttecounty.net

Budget Items

Category	Title	Description	Units	Unit Cost	Extended Cost	Direct Cost	Indirect Cost	GL Account	Cost Share	Type
Activity										
			0	\$0.00	\$0.00	\$2,642,977.00	\$0.00		\$0.00	Direct Cost
Activity Total										
			0	\$0.00	\$0.00	\$2,642,977.00	\$0.00		\$0.00	
General Administration										
General Administration Total										
			0	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
Activity Delivery										
			0	\$0.00	\$0.00	\$680,900.00	\$0.00		\$0.00	Direct Cost
Activity Delivery Total										
			0	\$0.00	\$0.00	\$680,900.00	\$0.00		\$0.00	

Other

Category	Title	Description	Units	Unit Cost	Extended Cost	Direct Cost	Indirect Cost	GL Account	Cost Share	Type
Other										
			0	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
Other Total										
			0	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
Grant Total										
			0	\$0.00	\$0.00	\$3,323,877.00	\$0.00		\$0.00	

Program Income

Category	Title	Description	Income
Program Income			
Program Income			
		Program Income	\$0.00

Budget Report, Created by Community Development County of Butte, CommunityDevelopment@buttecounty.net, 01/29/2025
 Source: eCivis™ Portal
<http://www.ecivis.com/>

18DRINFRA-18001
 NOI Date: 02/01/2022
 Approved Date: 10/04/2022
 Prep Date: 01/24/2025

Budget Narrative

The Project Budget accounts for:

Starting Design in 2023.

Earliest delivery of the project in 2024.

Engineering Estimates for scope and costs known at this time.

Hiring a design consultant or Resident Engineering/Construction Management Consultant to deliver the project, if needed.

Latest delivery of the project in 2026.

Activity Total Costs include: Preliminary Engineering & Consultant Costs and Estimated Construction Costs

General Administration Total costs include:

Activity Delivery Costs include: Construction Engineering Costs & Consultant Cost, and Project Administration Costs, Environmental Review & Consultant Costs, Labor Compliance & Consultant Costs

ATTACHMENT 2

SUBRECIPIENT PROJECT SCHEDULE

Ophir Road Rehabilitation Project

CDBG-DR Infrastructure, DR-4407

Estimated Timeline

Milestones	Duration	Completion
Award Notification		Spring 2023
Procure Environmental Consultant	2 months	Fall/Winter 2023
Submit Project Application	3 months	Spring 2024
NEPA	1 month	Fall-Winter-Spring-Summer 2023-24
Notice to Proceed		Winter 2024
CEQA (if needed)	3-5 months	Fall/Winter 2023-24
Engineering and Design Development	6 months	Fall 2023-Spring 2024
Procure Construction Contractor	2 months	Summer 2024
Road Repair	4 months	Summer 2024
Expend all funds		Fall 2024
Close Out	3 months	Fall 2024-Winter 2025

