

Forsyth County Community & Economic Development Procurement and Disbursement Policy

ESSENTIAL SINGLE-FAMILY REHABILITATION LOAN POOL HOME INVESTMENT PARTNERSHIP PROGRAM

PROCUREMENT POLICY

1. To the maximum extent practical, the Forsyth County Community & Economic Development Department (the County) promotes a fair, open, and competitive procurement process as required under the North Carolina Housing Finance Agency's Essential Single-Family Rehabilitation Loan Pool (ESFRLP) and the Winton-Salem/Forsyth Housing Consortium HOME Investment Partnership Program. Bids are invited from Contractors who are part of the County's approved contractor registry. To be on the registry, a contractor must complete an application, have their recent work inspected, reviewed, and approved by the Rehabilitation Specialist, as well as submit proof of insurance. Any contractor (in good standing ie. no unresolved past performance issues and not listed on the federal or state debarred list) listed with and approved by the County will receive automatic approval status on the contractor registry.
2. At least three eligible contractors on the County's approved contractor registry shall be invited to bid on each job; the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the contractor is deemed able to complete the work in a timely fashion, (b) the bid is within 15%, in either direction, of the County's cost estimate, (c) there is no conflict of interest (real or apparent), and (d) the contractor has no more than three (3) open contracts under construction.
3. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites shall be considered separate and apart when awarded, and they shall be awarded to the lowest responsive and responsible bidder(s) for each job site. All contractors working on pre-1978 units must be Renovation, Repair and Painting Rule (RR&P) Certified Renovators working for Certified Renovation firms; only those contractors with both certificates on file will be invited to bid on pre-1978 homes.
4. Bid packages shall consist of an invitation to bid, work write up(s), and bid sheet(s) for each job. including instructions for distribution and receipt of bids. Contractors will be given no less than seven days in which to inspect the property and prepare bid proposals. Each contractor will need access to all parts of the house in order to prepare a bid. A bid opening will be conducted in a location as indicated in the bid package at a specified date and time, with all bidders invited to attend.
5. Bids must include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies must be reconciled prior to a contract being awarded.
6. Any change to the original scope of work must be reduced to writing in the form

of a change order, to be agreed upon and signed by all parties to the original contract and two representatives of the County. The change order must also detail any changes to the original contract price and completion date. No work may begin prior to a contract being awarded, executed and a written order to proceed provided to the contractor.

7. In addition, a pre-construction conference and “walk thru” shall be held at a pre-determined location prior to commencement of repair work. At this time, the homeowner, contractor and County program representatives will discuss the details of the work to be completed. Starting and ending dates will be finalized, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home. Within one business day of receiving the fully-executed contracts*, the County will issue a "proceed order" formally instructing the contractor to commence work by the agreed-upon date.
8. The County reserves the right to reject any or all bids at any time during the procurement process.
9. In the event of a true emergency situation, the County reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, faxed bids, and the like. Should such methods ever become necessary, the transaction will be fully documented. In the event phone bids are used, the County will call the first three responsive contractors on the approved contractor list who have indicated a desire to be on the telephone call list. The City will track who has been called and responsive, and will rotate through the full list before beginning the rotation again.
10. All sealed bids will be opened publicly at a time and place detailed in the bid invitation. All bidders are welcome to attend. Within 72 hours of the bid opening, after review of bid breakdowns and construction schedules, the winning bidders will be selected. All bidders and the homeowner will be notified in writing of 1) the selection of the winning bid, 2) the amount of the winning bid, 3) the amount of the City’s cost estimate, and 4) the specific reasons for the selection, if other than the lowest bidder was selected.
11. The contractor is responsible for obtaining a building permit for the project before beginning work if supported by the local jurisdiction. The permit must be posted at the house during the entire period of construction. If applicable, the contractor will obtain a permit for lead hazard related activities. The County ESFRLP staff will closely monitor the contractor during the construction period to make sure that the work is being completed according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. Local Code Enforcement Officials will inspect the work for compliance with the NC State Building Code and the local minimum housing code, when applicable. To protect personal property the homeowner will be responsible for working with the contractor toward clearing work areas of personal property as needed as much as practicable. The contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.
12. Forsyth County is an equal opportunity employer, implements non-discriminatory practices in its procurement/disbursement and will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise)

businesses within its contractor and subcontractor pool. Contractors will be chosen by the above criteria without regard to race, color, religion, age, national origin, sex, familial status and/or disability.

DISBURSEMENT POLICY

1. All repair work must be inspected by (a) the County's Rehabilitation Specialist, (b) the local building or minimum housing code inspector when applicable and (b) the homeowner prior to any payments to contractors. If all work is deemed satisfactory, and all other factors and written agreements are in order, payment shall be issued upon presentation of an original invoice from the contractor. Contractor should allow 21 business days for processing of the invoice for payment.
2. The contractor is entitled to request two partial payments and a final payment. The first partial payment may be requested when the work is 50% complete. The second partial payment may be requested when the work is 85% complete. When a payment is requested, the Rehabilitation Specialist will inspect the work within three days, determine percentage of job completion and calculate a payment based on 90% of the total work completed.
3. Following construction, the contractor and the Rehabilitation Specialist will meet with the Homeowner in a post-construction conference. At this conference the contractor will hand over all owner's manuals and warranties on equipment and products to the homeowner and be available to answer homeowner questions.
4. After receipt of the contractor's final invoice, satisfactory inspections, certificate of completion and lien releases, the final payment will be ordered. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of payment. If the contractor fails to correct the work to the satisfaction of the County's Rehabilitation Specialist, payment may be withheld until such time the work is satisfactory. The Contractor shall provide a one-year materials and workmanship warranty beginning on the date that the Project Manager approves all work as complete and satisfactory. Contractors may follow the County's Housing Rehabilitation Program Assistance Policy if a dispute occurs; however, contractors shall abide by the final decision as stated in the policy.
5. The County assures, through this policy, that adequate funds shall be available to pay the contractor for satisfactory work.
6. All contractors, sub-contractors, and suppliers must sign a lien waiver prior to disbursement of funds.

The Procurement and Disbursement Policies are adopted this 1st day of July 2022.

**Per Forsyth County policy, contracts must be submitted through a portal for various Forsyth County representatives' approval, including Budget, Finance, County Attorney, and County manager. This process typically takes approximately two weeks, but can potentially span from one week to one month.*

FORSYTH COUNTY:

BY: _____

ATTEST: _____

CONTRACTORS STATEMENT:

I have read and understand the attached Procurement and Disbursement Policy.

BY: _____

COMPANY NAME: _____

WITNESS: _____