

## **Currituck County Procurement and Disbursement Policy**

For the 2024 Cycle of the  
**ESSENTIAL SINGLE-FAMILY REHABILITATION LOAN POOL**  
Currituck County Service Area

### **PROCUREMENT POLICY**

To the maximum extent practical, Albemarle Commission, promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's Essential Single Family Rehabilitation Loan Pool Program (ESFRLP). Work under ESFRLP will be procured through private contractors (Section A) and/or through the use of subcontractors for specialized trades (Section B), as described below. Albemarle Commission will make special outreach efforts to include M/WBE (Minority/Women Business Enterprise) businesses within its contractor and subcontractor pool.

Albemarle Commission 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, national origin, age, sex, familial status and/or disability.

#### **A. Private Contractors**

1. Bids are invited from contractors who are part of the approved contractor registry. Any current contractor listed with and approved by the Commission and in good standing (ie. no unresolved past performance issues and not listed on the federal or state debarred list) will receive automatic approval status on the Approved Contractor Registry.
2. To be listed in the Approved Contractor Registry, a contractor must complete an application, have their recent work inspected, reviewed and approved by the Rehabilitation Specialist and submit proof of insurance.
3. When possible, at least three eligible sub-contractors on the Approved Contractor Registry shall be invited to bid on each job and the lowest responsive and responsible bidder shall be selected for the contract. "Responsive and responsible" means (a) the sub-contractor is deemed able to complete the work in a timely fashion, (b) the bid is within 15%, in either direction, of the cost estimate, (c) the sub-contractor has not been suspended or debarred and (d) there is no conflict of interest (real or apparent).
4. The Albemarle Commission is a qualified Lead Renovation Firm and retains a qualifying Renovation, Repair and Painting Rule (RR&P) Certified Renovator on staff to oversee the repair of pre-1978 units as needed. For units where abatement is required or with more than \$25,000 of construction costs not attributed to Lead-Based Paint (LBP) stabilization/removal, projects must use a certified lead abatement firm as required by

North Carolina's Lead Hazard Management Program for Abatement Activities (LHMP). Both firm types are listed at this website: <https://schs.dph.ncdhhs.gov/lead/accredited.cfm>.

5. 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 shall be awarded to the lowest responsive and responsible bidder(s) for each job site.
6. Albemarle Commission Rehab Specialist will meet with each potential bidder to discuss the expected scope of work.
7. Bid packages shall consist of: work write up(s) and bid sheet(s) and bid rehab proposal for each job. Contractors will be given no less than five business 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.
8. Work write ups will include a cost-per-item breakdown with line item totals equaling the submitted bid price. Discrepancies will be reconciled prior to a contract being awarded.
9. The Commission reserves the right to reject any or all bids at any time during the procurement process.
10. In the event of a true emergency situation, the Albemarle Commission reserves the right to waive normal procurement procedures in favor of more expedient methods, which may include seeking telephone quotes, electronic bids and the like. Should such methods ever become necessary the transaction will be fully documented.
11. The contractor is responsible for obtaining a building permit for the project before beginning work if applicable. The permit must be posted at the house during the entire period of construction. If applicable, the sub-contractor will obtain a permit for lead hazard related activities. Albemarle Commission ESFRLP staff will closely monitor the sub-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 sub-contractor toward clearing work areas of personal property as needed as much as practicable. The sub-contractor will be responsible for all clearing and cleaning activities necessary due to construction activities.
12. 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 the two representatives of Albemarle Commission.
13. The Homeowner and the Rehab Specialist will hold a pre-construction conference and "walk thru" at the work site prior to commencement of repair work. The homeowner and Rehab Specialist will discuss 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.

14. No work may begin prior to a contract being awarded and executed and a verbal order to proceed provided to the sub-contractor from the Albemarle Commission Rehab Specialist.
15. The Albemarle Commission 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 sub-contractor pool. Sub-contractors will be chosen by the above criteria without regard to race, color, religion, national origin, age, sex, familial status and/or disability.

#### B. Subcontractors

1. Albemarle Commission is responsible for procuring all subcontracted services under the Essential Single Family Repair Loan Pool Program (ESFR) in a fair, open and competitive process.
2. Albemarle Commission will annually “refresh” its pool of subcontractors by inviting area subcontractors to submit a bid for a sample job. Albemarle Commission will make special efforts to include M/WBE businesses in this process. There will be a sample job for each of the major trades for which Albemarle Commission needs to have a pool of subcontractors: plumbing, roofing, electrical, HVAC, gutters and insulation, masonry, concrete, tree trimming, and others as needed. The lowest two to five responsive and responsible suppliers shall be added to the agency’s pool for their specified trade. “Responsive and responsible” means (a) the subcontractor is deemed able to respond to a work order in a timely fashion, (b) their bid is within 15%, in either direction, of what Albemarle Commission has estimated the sample job to cost, and (c) there is no conflict of interest (real or apparent). Subcontractors must also have recent work inspected, receive favorable references from recent clients, submit proof of licensure (if needed) and insurance at the appropriate levels required by the agency, and not have a history of poor performance or responsiveness with Albemarle Commission.
3. When it is determined that a particular job will require the use of a subcontractor, Albemarle Commission will, at its discretion (based on availability of the subcontractor, demands of the job, and recent history of performance) select a subcontractor from the relevant pool to engage for the job. Identified subcontractors will be provided with detailed work write-ups on each job and must submit a similarly detailed cost estimate for each job. The subcontractor will bill Albemarle Commission directly.
4. 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 Albemarle Commission staff members.
5. Albemarle Commission reserves the right to reject any or all bids at any time during the procurement process.

#### **DISBURSEMENT POLICY**

1. All repair work must be inspected by (a) the Rehabilitation Specialist, (b) the local building or minimum housing code inspector when applicable and (c) the homeowner prior to any payments to sub-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 sub-contractor. Contractors and sub-contractors should allow 21 business days for processing of the invoice for payment.
2. The contractor or sub-contractor is entitled to request two partial payments and a final payment. The first partial payment may be requested when the work is 30% complete. The second partial payment may be requested when the work is 60% 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 100% of the total work completed.
3. Following construction, the Rehabilitation Specialist will meet with the Homeowner in a post-construction conference. At this conference, all owner's manuals and warranties on equipment and products will be delivered to the homeowner.
4. Project Closeout: When the work is complete, the Rehabilitation Specialist will thoroughly inspect the work. If any of the work is deemed unsatisfactory, it must be corrected prior to authorization of final payment. If the sub-contractor fails to correct the work to the satisfaction of the Rehabilitation Specialist, payment may be withheld until the work is deemed satisfactory. (Sub-contractors may follow the Essential Single-Family Rehabilitation Loan Pool Assistance Policy if a dispute occurs; however, sub-contractors shall abide by the final decision as stated in the policy). The Homeowner and Rehabilitation Specialist will sign off on the work. After receipt of the sub-contractor's final invoice, inspections, certificate of completion and lien releases, the final payment will be ordered. All material and workmanship will be guaranteed by the sub-contractor for a period of one-year, using the date the Rehabilitation Specialist declares all work complete and approves the final invoice for payment, the homeowner will be provided the one-year warranty date in writing. (post-construction conference date)
5. The Albemarle Commission assures, through this policy, that adequate funds shall be available to pay the sub-contractor for satisfactory work.
6. All sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.



The Procurement and Disbursement Policies are adopted this the 15<sup>th</sup> day of August 2024.

**Albemarle Commission**

BY:

ATTEST:

**SUB-CONTRACTORS STATEMENT:**

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

BY:

COMPANY NAME:

WITNESS: