

Kent County Housing Improvement Program

REQUEST FOR BIDS

November, 2010

The Housing Improvement Program provides housing rehabilitation assistance to homeowners. The repairs must address health and safety related matters. Repairs may include flooring, roofing, plumbing and electric systems, and well and septic systems. The program is generally funded through grants from the Maryland Department of Housing and Community Development and the Maryland Affordable Housing Trust and a County match.

1. Bid Signatures:

Each bid must contain the name, residence, and place of business of each person or persons presenting the bid and must be signed by the Contractor(s) with his or her usual signature(s). A bid submitted by a Partnership must furnish the full names of all Partners, and must be signed in care of the Partnership Name by one of the members of the Partnership or by an authorized representative, followed by the signature and designation of the individual signing on behalf of the Partnership. A bid submitted by a corporation must be signed using the legal name of the Corporation, followed by the name of the State wherein Incorporated, and by the signature of the President of the Corporation, Secretary, or other Officer authorized to bind the Corporation in the matter. The Corporate Seal shall be affixed near the signature of the individual signing the bid on behalf of the Corporation.

2. Performance Bond and Labor & Materials Bond:

The successful Contractor must furnish a Performance Bond or Letter of Credit in an amount equal to one hundred and twenty five percent (125%) of the bid amount and a Labor & Materials Payment Bond or Letter of Credit equal to one hundred and twenty five percent (125%) of the bid amount both in a form and by a Surety Company approved by the State of Maryland. A certified check will not be accepted in place of the surety bond or letter of credit.

3. Qualification of Contractors:

Contractors must be licensed in the State of Maryland, as required by the Business Regulation Articles of the Maryland Annotated Code, Section 17-601 through and including Section 17-603, Maryland, 1992, including any and all addenda thereto. Contractors must provide the following documents with their bids: proof of liability and workman's compensation insurance, proof of Maryland Home Improvement Commission (MHIC) license and evidence from your bank or bonding company that the contractor is eligible for a letter of credit or a performance bond equal to one hundred and twenty five (125%) of the bid amount. The Contractor must also submit the names and addresses of three (3) references for previous work experience and a list of all subcontractors who will perform any work related to this rehabilitation project. The contractor must also provide proof of MHIC licenses for subcontractors except for plumbing or electrical work. The County reserves the right to require the Contractor to submit a Statement of Facts describing the Contractor's previous comparable work experience, business organization, and financial resources.

4. Pre-Bid Conference:

A Pre-Bid Conference will be held on Wednesday December 8, 2010 at p.m. in the County Commissioners' Hearing Room in the Kent County Government Center at 400 High Street, Chestertown, Maryland 21620 to review the requirements of the project.

5. Discrepancies:

If there is a difference between the stipulated bid amount that is written in words and the stipulated bid amount that is written in figures, the stipulated bid amount written in words shall govern.

6. Withdrawal:

Any Contractor may withdraw his or her bid in writing at any time prior to the scheduled date and time for the bid opening scheduled for Tuesday, January 4, 2011.

7. Bid Opening:

The deadline for receipt of all bids is Monday, January 3, 2011 at 4:30 p.m. in the Department of Planning, Housing and Zoning in the Kent County Government Center located at 400 High Street, Chestertown, Maryland 21620. All bids must be submitted in a sealed envelope inside another sealed envelope marked "Rehab Bid: KC MD-09-CD-25" in the lower left hand corner of both envelopes. The County Commissioners of Kent County are expected to open the bids during their regularly scheduled meeting on Tuesday, January 4, 2011 at 9:00 a.m. in the County Commissioners' Hearing Room at the Kent County Government Center at 400 High Street, Chestertown, Maryland.

The successful contractor shall be selected based upon a review of qualifications, past experience, price, completion time, and subcontractors. The County reserves the right to reject any contractor based upon any of these factors. The County reserves the right to conduct the request for bids in the best interests of Kent County and to waive any informality in a given bid; to reject the bid of any Contractor who has previously failed to perform properly or who has failed to complete prior Contracts of a similar nature in a timely and satisfactory manner; and reject the bid of a Contractor who is not prepared to complete the work set forth in the Request for Bids.

8. Timely Completion:

All work must be performed between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday unless the owner, Contractor and the Department of Planning, Housing and Zoning have agreed to make other arrangements. The Contractor must complete all work by Friday April 30, 2011.

9. Responsibility for Damage Claims:

The Contractor shall indemnify and hold harmless Kent County and all of its employees, agents, assigns and representatives from all suits, actions, and claims brought against the County due to any injuries or damages sustained by any person or property as a result of any work performed by the Contractor, subcontractors, employees, agents, or representatives.

10. Additional Work/Improvements:

All modifications to the Plans or Specifications must be approved by the Department of Planning, Housing and Zoning. When such changes involve work for which no quantity or price were included in the bid, such additional work shall be performed at a price and in a quantity previously agreed to in writing by the Contractor, the Property Owner, and the Department Planning, Housing and Zoning. The County reserves the right to amend these plans and specifications to include additional rehabilitation work for other dwelling units not listed to be included as an addendum.

11. Construction Permits/Fees:

The Contractor must obtain all Construction Permits and Approvals prior to the commencement of work specified in the bid documents; obtain all required interim and final inspections; and remit all fees to all the appropriate agencies.

12. Non-Discrimination:

Neither the Contractor nor the subcontractors shall discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to ensure that qualified applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex or national origin. Such action shall include but not be limited to the following: employment, upgrading or demotion; transfer; advertising for recruitment; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, any notices provided by the Department of Planning, Housing and Zoning setting forth the provisions of this Non-Discrimination Clause. The Contractor will be required to submit a list of names and addresses of all women and minority subcontractors and employees under this contract to the Department of Planning, Housing and Zoning.

13. Lead Paint Inspection, Removal of Lead Paint and Lead-Based Paint Prohibition,:

A lead inspection must be conducted on all homes built before 1978 that will be rehabilitated under the Kent County Housing Improvement Program. If lead paint is detected, abatement will be required. Exceptions to these rules may be granted on a case by case basis permitted by law. The removal of lead based paint must be performed by a Maryland Department of the Environment (MDE) certified lead contractor. The contractor must comply with all federal, state, county and local statutes, regulations, codes and ordinances regarding the removal of lead paint.

The use of lead-based paint on the work covered under this Contract is prohibited and any such subcontract shall contain language prohibiting the use of lead-based paint. (Lead-based paint means any paint containing more than one percent (1%) lead by weight calculated as "lead metal", in the total non-volatile content of liquid paints or in the dried film of paint already applied).

14. Hazardous Materials

The Contractor must comply with all federal, state, County and local regulations, statutes, ordinances and codes regarding the removal and disposal of all hazardous materials.

15. Termite Inspections

All homes must be inspected for termites and other structural infestation by a licensed exterminator. If infestation is discovered, treatment must be provided.

16. Section 3 Clause:

The work to be performed under this Contract is on a project financed, in part, by Federal financial assistance from the U. S. Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u). Section 3 requires that, to the greatest extent feasible, opportunities for training and employment be given to lower-income residents of the project area and contracts for work in connection with the project be awarded to contractors located in or owned in substantial part by persons residing in the project area. The Contractor will be required to submit a list of names, addresses, job titles and pay rates of all employees who reside within a fifty (50) mile radius of the work site.

17. Anti-Kickback Act:

The Contractor and subcontractors shall comply with the applicable regulations of the Secretary of Labor, United States Department of Labor, made pursuant to the so-called "Anti-Kickback Act" of June 13, 1934 (48 Stat.94B; 62 State 862; Title 18 U.S.C., Section 874; and Title 40 U.S.C., Section 276c) and any amendments or modifications made to this Act.

18. Grievance Procedure:

Disputes between the Owner; the Contractor or Subcontractors; Department of Planning, Housing and Zoning; or any combination thereof may arise from time-to-time. In those cases where the Department of Planning, Housing and Zoning cannot resolve the dispute to the mutual satisfaction of all parties involved, Section Eleven of the HIP Project's policies and procedures shall be utilized to resolve any such unresolved dispute.

19. Conflict of Interest

No member of the Department of Planning, Housing and Zoning and no officer, employee, or member of the governing body of the County, who exercises any functions or responsibilities in connection with the administration of this HIP project, to which this Contract pertains, shall have any private interest, direct or indirect, in this Contract.

20. Change Orders:

Where code violations are discovered during the course of performing the work covered by this Contract, which code violations were not cited during the Initial Housing Inspection, such code violations shall be brought to the attention of the Department of Planning, Housing and Zoning by the Owner or the Contractor. If deemed appropriate by the Department of Planning, Housing and Zoning, and if sufficient funds are available, the Department of Planning, Housing

and Zoning may issue a written change order to have the code violations corrected subject, however, to the approval of the Deferred Loan Committee if the costs of code violations in question exceed five thousand dollars (\$5,000.00). This five thousand dollar (\$5,000.00) figure is a cumulative figure.

21. Legal Compliance

The Contractor must comply with all federal, state, county and municipal statutes, regulations, codes and ordinances.

22. Inquiries

Bid documents and specifications for this project may be obtained by contacting Bill Kerbin at (410) 778-7426 in the Department of Planning, Housing and Zoning or in person at the Kent County Government Center, 400 High Street, Chestertown, Maryland 21620. Other questions or inquiries may be directed to Bill Kerbin at (410) 778-7426 or Harold Coleman at (410) 778-7427.