

Housing Rehabilitation Bidding Procedure

The word Homeowner is used throughout bid procedure. Using the word Homeowner is synonymous with any recipient of funds administered by the Housing Division, including the cases in which the City of Lakeland is the property owner and where context permits.

The City of Lakeland's Housing Division is (1) a conduit for Federal, State, City of Lakeland, private and/or non-profit organizations' funds and (2) acting in the capacity of providing technical assistance to the homeowner/recipient. The funds are intended to assist low to moderate income families to participate in affordable housing programs such as, but not limited to home repair/rehabilitation and acquisition programs. If the homeowner qualifies for assistance, the contract is between the homeowner and contractor. There is no implied or expressed construction contract between the City of Lakeland and homeowner or contractor, except in those cases in which the City of Lakeland is the property owner and a party to the contract or agreement. When a contract between the homeowner and contractor is necessary, a formal contract may be prepared by the City of Lakeland.

Federal government, State of Florida or City of Lakeland procurement policies are NOT applicable to funds disbursed by the Housing Division. Since the contract for new home construction, repairs or rehabilitation to a home is between the homeowner and the contractor, the Housing Division for the benefit of the homeowner, recognizes the homeowner's right to select a qualified contractor to bid on their home and/or award the contract. A contractor who is selected by homeowner will be added to the contractor's list maintained by the Housing Division. A contract can be awarded to a contractor other than the lowest qualified bidder, provided the homeowner meets certain program requirements (see #14 below).

1. The contractor must be in good standing with the City of Lakeland, State of Florida and HUD, before a bid package can be released. The contractor must furnish to the Housing Division a current copy of the following documents to be in good standing.
 - a. City of Lakeland, Florida Building Inspection Division Certificate of Registration.
 - b. State of Florida Department of Professional Regulation Construction Industry Licensing Board certificate.
 - c. Evidence of being in good standing with HUD, providing a current copy of the debarred list.
 - d. Liability Insurance policy.
 - e. Builders risk insurance may be requested as an option in bid package.
 - f. If requested, a personal and/or business financial statement, tax returns and/or any other pertinent documentation deemed necessary. Examples would be names of suppliers, sub-contractors, etc. Requested documentation must be submitted within three (3) working days of request. Failure to submit requested information in allotted

time will automatically disqualify the contractor. Disqualification will allow homeowner and/or Housing Programs Manager, acting on behalf of the homeowner, to negotiate with next eligible contractor.

- g. Contractor must maintain an active local telephone number. If recorder is used, message must be returned no later than 9:00 am the following workday. Failure to comply is grounds for withdrawal or terminating contract and suspension from program.
2. The contractor must be in good standing with the Housing Division by 12:00 noon the day of bid opening. Bids of contractor not in good standing may not be opened and are automatically eliminated. Being in good standing includes, but is not limited to the following:
 - a. Time limits of contracts under construction must not be delinquent. An exception is if the Housing Division causes the contractor or contractors to be delinquent.
 - b. Time limits on written complaints must not be delinquent.
 - c. Time limits on punch list for Housing Division jobs must not be delinquent.
 - d. All past due fees owed to the City of Lakeland must be paid in full.
 - e. A written complaint from a supplier and/or subcontractor of a delinquent account on a Housing Division client contract must be satisfied with a notarized written satisfaction from the affected person(s). If the contractor and supplier or subcontractor has dispute regarding their contract, the contractor can submit documentation from the court of a pending claim.
 3. The contractor is responsible for obtaining from the Housing Division all Bid Specifications, Bid Package and any other bid forms and information necessary to complete a satisfactory bid. Contractor is responsible to disburse to suppliers and subcontractors' documentation such as, write-ups and floor plans.
 4. The work write ups prepared by the City of Lakeland's Housing Division may include estimated quantities. The contractor is responsible for actual quantities to complete project as per work write-up.
 5. The contractor must satisfy any request of the co-contributor (such as a bank involved in a project) of funds. Contractor must within two (2) days after bid opening complete the co-contributor's request. The co-contributor must determine contractor's eligibility within seven (7) days after bid opening.
 6. The contractor will be allowed a minimum of five (5) days to prepare a Bid.
 7. Bids normally will be opened on Mondays at 4:00 pm or unless otherwise specified.

8. NO BID will be accepted after specified time of bid opening.
9. Failure to complete Invitation to Bid in its entirety may cause disqualification. THERE WILL BE NO EXCEPTION WITHOUT PRIOR APPROVAL BY THE HOUSING PROGRAMS MANAGER.
10. Funding for the general contractor will be provided on behalf of the homeowner in the amount that is the lowest qualified bid.
11. The Housing Programs Manager reserves the right to refuse any and all bids with reasonable justification. Contractor with low bid must satisfy Housing Programs Manager they can perform contract.
12. In case of a tie, the homeowner will choose the contractor. If the homeowner does not choose, the affected contractors may decide who will relinquish his/her bid, allowing the contract to be awarded to the remaining contractor. The contractor who relinquishes the bid will provide a written statement to the Housing Division to that fact. If the above selection process fails, the bid package may be re-bid at the next available bid date.
13. If the homeowner receiving housing assistance selects a qualified bidder who is not the low bidder, the homeowner must escrow with the Housing Division the difference between the low qualified bid and the selected bid. The homeowner must place the funds in escrow before start of construction. Said escrowed funds shall be disbursed to contractor at completion of the construction.
14. The Contractor with the low bid must satisfy the Rehabilitation Specialist that he can perform for his submitted bid. Failure of contractor to present necessary permits to Finance Specialist three (3) working days after the three (3) day recession may disqualify the contractor from proceeding with the contract and thereby be disqualified from the contract. Cost of permits will be reimbursed to the contractor if the homeowner decides not to proceed with construction on the home. The Contractor must be prepared to proceed with construction within two weeks of the three (3) day recession notice date; any exceptions will have to be approved by the Housing Programs Manager.
15. Commencement of construction will be the date stated on the "Notice to Proceed". Maximum time to complete a contract will be stated in the contract. Extension to contractor may be granted for reasonable cause only after approval by the Housing Programs Manager.
16. The following must be satisfied by the contractor before a contract is considered completed:
 - a. Approval by Homeowner(s).
 - b. Approval by Finance Specialist.
 - c. Approval by Rehabilitation Specialist.

- d. Approval by all necessary City of Lakeland agencies, including presenting a Certificate of Occupancy to the Finance Specialist.
 - e. Approval by all co-contributor of funds.
17. Extension of time due to change orders, weather, etc., must be initiated in writing by the contractor and approved by the Housing Programs Supervisor within three (3) working days of the delay or anticipated delay.
18. Contracts exceeding the contract date without prior approval as stated in Paragraph (18) will affect the contractor as follows:
- a. Disqualifies contractor as stated in paragraph (1) above from bidding, and
 - b. Contractor to pay all cost related to temporary relocation, and
 - c. Contractor will be required to pay \$25.00 per day penalty.
19. In case of a dispute between applicant and contractor, the work will be stopped, and the Housing Programs Supervisor may act as Arbitrator. If arbitration is not successful, the applicant and contractor may settle their dispute in a court of law. Should there be excess funds remaining in the Escrow Account at the completion of the rehabilitation contract, the funds shall be returned to the City to be credited to the applicants' repayment obligation as determined by the City.
20. Punch list must be satisfied by the date specified on the notification. Extension of time must be approved by the Rehabilitation Specialist within two (2) days of date on the notification.
21. Contractor must notify Rehabilitation Specialist in writing upon completion of any outstanding complaints, punch list, etc. Failure to notify the Housing Rehabilitation Specialist of the completion of outstanding complaints may disqualify the contractor from bidding.
22. A twenty-five dollar (\$25.00) per trip fee may be charged for each re-inspection of written complaints, punch list, etc. The fee will be deducted from the next check request of the contractor if the contractor fails to pay immediately after the inspection. Outstanding fees will disqualify the contractor from bidding as stated in Paragraph (1) above.
23. If after commencement of work a determination is made the home is too expensive to rehabilitate, then the Housing Programs Manager at his option may cancel contract. The Housing Programs Manager at his option after canceling the rehabilitation contract, may negotiate with any contractor to provide a replacement home or as deemed appropriate to assist the homeowner with affordable housing needs.
24. Contractor must submit before preconstruction a draw schedule (a line-item cost breakdown which will be used for the draws on completed work groups). The draw schedule must be

approved by the Housing Programs Manager before contract is awarded to contractor. Failure to have an approved draw schedule will affect payments to contractor. There will be a 10% hold back on each draw. The retainage will be released when all inspections by City of Lakeland Building Inspection department are in compliance.

25. The Housing Programs Manager upon approval of the homeowner, may negotiate a contract rather than bid.
26. The Housing Programs Manager may at his discretion, make exceptions to or waive the bidding procedures for the benefit of the homeowner.
27. The City of Lakeland's Housing Division, for the benefit of the homeowner, reserves the right to accept or reject any or all bids and to waive formalities. The Housing Programs Manager reserves the right to recommend to recipient to reject a contractor's bid prior to bid opening, or to reject a bid prior to bid opening in cases involving City-owned property, if contractor has two (2) or more rehabilitation jobs underway at bid time and who in the judgement of the Housing Division cannot reasonably manage additional work.
28. Appeals related to bid procedure or awarding of a bid grievance must be IN WRITING and addressed to the Housing Programs Manager within three working days. If the appeal cannot be resolved by the Housing Programs Manager, the Manager at the request of the complainant in writing will submit the appeal to the Director of Community Development within three (3) working days. The Director of Community Development must provide a decision within five (5) working days. The decision of the Director of Community Development will be the final and binding decision.
29. When the cost and/or expenses exceeds the maximum stated in the LHAP, the authority to exceed amounts shall be approved by the Assistant Direct of Community Development.

Revised: 07/00, 09/02, 01/03, 04/10, 07/13, 11/22