

# Hyde County Government

Swan Quarter, NC

## RFP# 2010-Hyde ARRA Grant Project Mattamuskeet Opportunity Center

### Request for Proposal for One Project "Project" to Implement Hyde County's ARRA Grant for their RFP #43A-2010EECBGLG1

The County of Hyde seeks qualified responses for the implementation of energy conservation measures via an American Recovery and Reinvestment Act (ARRA) grant as administered by the NC Energy Office. All respondents shall be capable of complying with all "Subgrantee" requirements as required by the NC Energy Office. See ['Terms and Conditions'](#) below.

#### Project Communications

Project Updates will be available at [www.Hydebids.wordpress.com](http://www.Hydebids.wordpress.com). Email questions to Kathleen Mullen at [kmullen@petraeng.com](mailto:kmullen@petraeng.com).

#### Selected Contractor

Selected contractor will inspect all project sites and make recommendations for change orders prior to commencing work.

RFP Issue Date	January 4, 2011
<b>Electronic Proposals Due By:</b>	<b>January 26, 2011 at 4:30pm; email to <a href="mailto:kmullen@petraeng.com">kmullen@petraeng.com</a></b>
Submit Scope of Work pages as your Original Proposal which must be delivered by 4:30pm January 24, 2011 to:	County Of Hyde 30 Oyster Creek Road Post Office Box 188 Swan Quarter, NC 27885 Attention: Jane Hodges/RFP Admin
<b>Mail copy of Proposals by January 26, 2011 to:</b>	<b>Kathleen Mullen 16735-A Cranlyn Rd. #113 Huntersville, NC 28078</b>
<b>Public Bid Opening</b>	<b>January 26, 2011 at 4:30 pm at the Hyde County Managers office at the Government Center</b>
Bid Award Date	January 31, 2011
Project Completion Date	On or before June 30, 2011

**SCOPE OF WORK for Hyde County RFP# 2010 Project Mattamuskeet Opportunity Center**

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Several buildings in Hyde County require repair to conserve energy and to maintain building integrity. The following table describes the magnitude of repairs required.

Built in 1999, 3483 square feet, , 2 of 3 fixture bathrooms, one of 2 fixture bathroom, brick exterior.

This is a single story brick building with a concrete stoop that slopes toward the front double doors allowing water to enter the building. The water needs to be drained away from the door and the building, before the door seal can be repaired.

One vertical air handling unit requires a new programmable thermostats. The ductwork in the attic requires inspection and repair of leaks. The attic and exterior edges of building require more insulation to block heat/conditioned air losses.

This building has a brick crawl space foundation. The crawl space has standing water which needs to be drained. The crawl space requires the insulation to be replaced and a new vapor barrier installed. The floor of the building has failed due to water damage from the crawl space and requires replacement.

An over head door requires replacement with an exterior energy star rated double commercial door to reduce heat loss through the door and around the perimeter of the door.

Windows require repair/replacement.

Exterior doors require adjustment and seal repair or replacement.

End Use	Retrofit Technology
Overhead Door	Replace with Energy Star Rated commercial double door
Side Door	Adjust the door, replace the gasket and sweep
crawl space	Replace all the insulation. Replace the entire vapor barrier.
French Drain	install around the entire perimeter with 1' to 100' slope towards the ditch. Locate the drain as close to the building as possible. Trench dimensions; 12" wide by 12" deep. Line with 4' wide 3oz. landscape fabric. Lay gravel suitable for drainage. Position a 6" diameter rigid perforated pipe with holes facing the bottom, on the gravel. Fill sides of pipe and 2" above pipe with smaller gravel. Pour 1" sand on top. Cover with remaining landscape fabric. Pour 1" of pea gravel on top and 6" on either side of trench. OR/ a better solution.
Floor	Replace the floor including the plywood subfloor. Install commercial grade vinyl composition tiles, ARMSTRONG VCT Safety tile or equivalent

Thermostats	Replace existing thermostats with programmable
Windows	Replace existing windows with Energy Star qualified windows of comparable style
Sidewalk	Side walk replacement for proper drainage.

<b>Provide the following cost summaries</b>	
Cost for Insulation and duct sealing	\$
Cost for programmable thermostat installations	\$
Cost for faucet fixture replacement	\$
cost for crawlspace insulation and vapor barrier	\$
Cost for water drainage repair	\$
Cost for door and window sealing/replacement	\$
Total project costs	\$

**Please list the positions and hourly rate of pay of laborers/mechanics performing service:**

<b>Position</b>	<b>Hourly rate of pay</b>
Air Conditioning and Heating Mechanic	
Electrician	
Sheet metal worker	
insulator	
Carpenter	
Drywall Finisher	
Electrician	
Sheet metal worker	
Other (specify): LABORER	

**MATERIALS REQUIREMENT:** 1) All HVAC equipment must conform to the requirements established by the Energy Star 2) thermostat locations require county approval 3) Equipment damaged by the Contractor will be replaced by the Contractor at no cost to the County.

**SCHEDULING:** It may be necessary to perform some installations and retrofits by appointment.

**INSTALLATION METHODS** – please initial next to the following items that apply to your company’s certifications.

1. I am a BPI Accredited contractor
2. I will follow the guidelines for insulating and sealing air leaks as explained in this Energy Star brochure  
[http://www.energystar.gov/ia/partners/publications/pubdocs/DIY\\_Guide\\_May\\_2008.pdf](http://www.energystar.gov/ia/partners/publications/pubdocs/DIY_Guide_May_2008.pdf)

By submitting this proposal, the potential contractor certifies the following:

The selected contractor will recommend change orders to the Grant Project Manager prior to commencing work.

This proposal is signed by an authorized representative of the firm.

It can obtain insurance certificates as required within 10 calendar days after notice of award.

The cost and availability of all equipment, materials, and supplies associated with performing the services described herein have been determined and included in the proposed cost.

All materials and supplies associated with performing the services described herein have been made in the United States of America.

All labor costs, direct and indirect, have been determined and included in the proposed cost.

Laborers and/or mechanics will be paid weekly at the prevailing wage rate according to Davis Bacon Requirements for Hyde County.

The offeror has attended the mandatory conference/site visit and is aware of prevailing conditions associated with performing these services.

The offeror can and will provide the specified performance bond or alternate performance guarantee.

The potential contractor has read and understands the conditions set forth in this RFP and agrees to them with no exceptions.

The offeror is registered in NC E-Procurement @ Your Service or agrees to register within two days after notification of contract award.

Therefore, in compliance with this Request for Proposals, and subject to all conditions herein, the undersigned offers and agrees, if this proposal is accepted within 7 days from the date of the opening, to furnish the subject services and materials for a cost not to exceed the prices indicated above.

OFFEROR:
ADDRESS:
CITY, STATE, ZIP:
TELEPHONE: FAX:
E-MAIL:
Principal Place of Business if different from above (See General Information on Submitting Proposals, Item 18.):
ADDRESS:
CITY, STATE, ZIP:
By: (Signature) (Title) (Date)
Printed Name
<b>Hyde County ACCEPTANCE OF PROPOSAL</b>
Signature/Title/Date
(Printed name)

## Terms and Conditions

Please read the following special terms and conditions that apply to ARRA grant recipients. As a contractor you will also be defined as a 'Subgrantee', and required to follow all the terms and conditions required by the 'Grantee', Hyde County. You must have a plan to follow all the following requirements in the terms and conditions below, before you commence your contracting activities as a 'Subgrantee'. Refer to [Terms and Conditions](#) at [http://www.energync.net/wdocs/arraWebinar/SpecialTermsConditions\\_SEP\\_Grantees.pdf](http://www.energync.net/wdocs/arraWebinar/SpecialTermsConditions_SEP_Grantees.pdf).

### Contractor Payment

The Economic Development Office of Hyde County has a line of credit that contractors may possibly apply for to assist project financing during construction. For more information, contact Alice Keeney at the Hyde County Government Center.

Contractor will be paid 95% of the bid cost upon project completion. The remaining 5% will be paid after State Energy Office on-site reviews including compliance with the Davis-Bacon, Buy American and other Grant/RFP requirements. Selected Bids will be final and serve as the binding contract.

FYI [N.C. Vendor Electronic Payment Form](#)

### Reporting and Registration Requirements

Include the following provision in your contracts: **"The Contractor is notified that this project will be financed with *American Recovery and Reinvestment Act of 2009* (hereinafter, "ARRA") Funds. The Contractor shall ensure that all subcontracts and other contracts for goods and services for an ARRA-funded project have the mandated provisions of this directive in their contracts. Pursuant to Title XV, Section 1512 of the ARRA, the State shall require that the Contractor provide reports and other employment information as evidence to document the number of jobs created or jobs retained by this contract from the Contractor's own workforce and any sub-contractors. No direct payment will be made for providing said reports, as the cost for same shall be included in the various items in the contract."**

- [Sample and Blank Monthly Grantee Narrative Form](#)
- [Monthly Financial Report to N.C. Energy Office Instructions](#)
- [Monthly Financial Report to N.C. Energy Office Template](#)

### Required Contractor Registrations

1. For reporting purposes, Contractor must maintain current registrations in the Central Contractor Registration (<http://www.ccr.gov>) at all times during which they have active federal awards funded with Recovery Act funds.

2. A Dun and Bradstreet Data June 18, 2010 Universal Numbering System (DUNS) Number (<http://www.dnb.com>) is one of the requirements for registration in the Central Contractor Registration."

### **Contractor Shall Post Jobs with the Local Employment Security Commission**

Include the following provision in your contracts: "In addition to any other job postings the Contractor normally utilizes, pursuant to the requirements of the OERI, the Contractor and its subcontractors shall post with the local Employment Security Commission Office all positions for which he intends to hire workers as a result of being awarded this contract. Labor and semiskilled positions must be posted for at least 48 hours before the hiring decision. All other positions must be posted a minimum posting of five days before the hiring decision. The Contractor and its subcontractors shall report the new hires in the manner prescribed by the Employment Security Commission and the OERI in the format provided to Contractor."

#### **Sample Newspaper Ad (not a legal ad)**

The \_\_\_\_\_ intends to purchase \_\_\_\_\_ or  
[Jurisdiction] [item(s)]  
procure the services of \_\_\_\_\_ utilizing American Recovery &  
Reinvestment Act (stimulus) funds.  
Information on this opportunity will be available at \_\_\_\_\_  
[location, phone #, department, website address] until \_\_\_\_\_.  
[date and time]

The ad must be placed in the print media of general circulation in the jurisdiction. If a HUB publication is available in the immediate area it should be placed in that media also.

Washington Daily

### **Davis-Bacon Wage Requirements - posted at [www.HydeBids.Wordpress.com](http://www.HydeBids.Wordpress.com) for Hyde County**

The provisions located at the following internet address must be included in all contracts for construction, alteration or repair work (including painting and decorating):  
[http://www1.eere.energy.gov/wip/pdfs/dba\\_clauses\\_weatherization.pdf](http://www1.eere.energy.gov/wip/pdfs/dba_clauses_weatherization.pdf) [Note: this is a general DBA clause approved by DOL for DOE programs, including SEP and EECBG.]

You must also determine the prevailing wage for your location and type of activity (see [www.HydeBids.Wordpress.com](http://www.HydeBids.Wordpress.com)) determined by the Department of Labor (DOL) and **include the prevailing wage requirements in your contract**. See [www.wdol.gov](http://www.wdol.gov) for DOL's prevailing wage rates. Please review the requirements of this contract provision, which require, among other things, weekly payment to covered workers, weekly reporting of certified payroll, posting of prevailing wages at the project site. The following are sources to assist you and your contractor in meeting the Davis-Bacon requirements:

- a. Free workplace law poster <http://www.nclabor.com/posters/posters.htm>  
June 18, 2010
- b. Employees certified weekly payroll (you can find sample at [http://www1.eere.energy.gov/wip/pdfs/wh-347\\_example.pdf](http://www1.eere.energy.gov/wip/pdfs/wh-347_example.pdf) )
- c. Davis Bacon Wage Determination <http://www.wdol.gov/dba.aspx#3>
- d. Davis Bacon Wage Determination - Excel Sheet  
[http://www1.eere.energy.gov/wip/dol\\_wage\\_determinations\\_sep\\_eecbg.html](http://www1.eere.energy.gov/wip/dol_wage_determinations_sep_eecbg.html)
- e. Davis Bacon help desk, please call 1-866-487-9243

[Implementation of Davis-Bacon Act/ State Energy Program](#)  
[Guidance on Implementation of the Davis-Bacon Act](#)

**Anti-Discrimination and Equal Opportunity**

Include the following provision in your contracts: "Pursuant to Section 1.7 of the guidance memorandum issued by the United States Office of Management and Budget on April 3, 2009, Recovery Act funds must be distributed in accordance with all anti-discrimination and equal opportunity statutes, regulations, and Executive Orders pertaining to the expenditure of funds." June 18, 2010

**Historically Underutilized Business**

Include the following question in your bid documents or requests for proposals: "Please check the following: Is your organization registered with HUB office? Yes \_\_\_\_\_ No \_\_\_\_\_ June 18, 2010  
Is your organization a minority contractor, small contractor, physically handicapped contractor, a woman contractor, a disabled business enterprise, or a non-profit work center for the blind and severely disabled? Yes \_\_\_\_\_ No \_\_\_\_\_"

**Required Contract Provision to Implement ARRA Section 902**

Include the following provision in your contracts: "Section 902 of the ARRA requires that each contract awarded using ARRA funds must include a provision that provides the U.S. Comptroller General and his representatives with the authority to:

- (1) examine any records of the contractor or any of its subcontractors, or any State or local agency administering such contract, that directly pertain to, and involve transactions relating to, the contract or subcontract; and
- (2) interview any officer or employee of the contractor or any of its subcontractors, or of any State or local government agency administering the contract, regarding such transactions.

Accordingly, the Comptroller General and his representatives shall have the authority and rights prescribed under Section 902 of the ARRA with respect to contracts funded with recovery funds made available under the ARRA. Section 902 further states that nothing in 902 shall be interpreted to limit or restrict in any way any existing authority of the Comptroller General."

**Authority of the Inspector General**

Include the following provision in your contracts: June 18, 2010

“Section 1515(a) of the ARRA provides authority for any representatives of the United States Inspector General to examine any records or interview any employee or officers working on this contract. The contractor is advised that representatives of the Inspector General have the authority to examine any record and interview any employee or officer of the contractor, its subcontractors or other firms working on this contract. Section 1515(b) further provides that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of an Inspector General.”

#### **Office of State Budget and Management Access to Records**

Include the following provision in your contracts: “The Contractor and its subcontractors agree to allow the Office of State Budget and Management internal auditors and state agency internal auditors access to records and employees pertaining to the performance of any contract awarded by a public agency.”

#### **Buy American provision**

Include the following provision in your contracts: “Section 1605 of the ARRA requires that iron, steel and manufactured goods used in public buildings or public works projects be produced in the United States. Contractor and its subcontractors agrees to abide by Section 1605, shall secure documentation that purchases meet the requirements of Section 1605, and shall maintain records of such purchases for inspections by authorized agents of the State of North Carolina and federal agencies. The Contractor and its subcontractors must obtain written exception from this provision from the agency issuing the contract.” Also include a requirement that the Contractor supply this documentation to you at some specified time or upon request. Note that this provision only applies to public buildings and public works.

**12/6/2010 Exceptions to the ‘Buy American’ requirement can be found at the following hyperlink-  
<http://www.ncrecovery.gov/LinkClick.aspx?fileticket=yD7a5A-ugqk%3d&tabid=128>**

- [Dept. of Energy "Buy American Guidance"](#)
- [Dept. of Energy Information on “Buy American” Waivers](#)

#### **Availability and Use of Funds**

Include the following provision in your contracts: “Contractors understand and acknowledge that any and all payment of funds or the continuation thereof is contingent upon funds provided solely by ARRA or required state matching funds. Pursuant to Section 1604 of the ARRA, contractors agree not to undertake or make progress toward any activity using recovery funds that will lead to the development of such activity as casinos or other gambling establishments, aquariums, zoos, golf courses, swimming pools or any other activity specifically prohibited by the Recovery Act.”

#### **Whistleblower Provisions**

Include the following provision in your contracts: “Contractor and its subcontractors understand and acknowledge that Article 14 of Chapter 124, NCGS 126-84 through 126-88 (applies to the State and state employees), Article 21 of Chapter 95, NCGS 95-240 through 85-245 (applies to anyone, including state



employees), and Section 1553 of the Recovery Act (applies to anyone receiving federal funds), provide protection to State, Federal and contract employees. Specifically, the Recovery Act provides that an employee of any non-Federal employer receiving Recovery Act funds, may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to the Accountability and Transparency Board, an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency, a person with supervisory authority over the employee (or other person working for the employer who has the authority to investigate, discover or terminate misconduct, a court or grand jury, the head of a Federal agency, or their representatives information that the employee believes is evidence of:

- gross management of an agency contract or grant relating to covered funds;
- a gross waste of covered funds
- a substantial and specific danger to public health or safety related to the implementation or use of covered funds;
- an abuse of authority related to the implementation or use of covered funds; or

June 18, 2010

- as violation of law, rule, or regulation related to an agency contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to covered funds.

Any employer receiving Recovery Act funds shall post notice of the rights and remedies as required therein. (Refer to section 1553 of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, [www.Recovery.gov](http://www.Recovery.gov), for specific requirements of this section and prescribed language for the notices.). A form of the notice that meets the requirements of this section is located at the following internet address: [http://www.recovery.gov/Contact/ReportFraud/Pages/Report\\_Fraud.aspx](http://www.recovery.gov/Contact/ReportFraud/Pages/Report_Fraud.aspx)

### **Do Not Outsource outside the USA without Specific Prior Approval Provision**

Include the following provision in your contracts: "Contractor and its subcontractors agree not to use any recovery funds from a contract or any other performance agreement awarded by the State of North Carolina, its agencies, or political subdivisions for outsourcing outside of the United States, without specific prior written approval from the agency issuing the contract."

### **Satisfy All Federal, State and Local Tax Obligations**

Include the following provision in your contracts: "By submission of a proposal, contractors and subcontractors assert and self-certify that all Federal, State and local tax obligations have been or will be satisfied prior to receiving recovery funds."

### **Use of Recovery Funds for Travel**

Include the following provision in your contracts: "Contractor and its subcontractors are specifically prohibited from using Recovery Act funds for travel outside the service area or county in which the project is located. The exceptions are for travel specifically mandated by the Recovery Act or approved by the senior management of the State Energy Office."

**The National Historic Preservation Act (NHPA) - Section 106**

As you are aware, your grant is subject to NHPA and your project must undergo a review for compliance with NHPA. In the event that any special conditions were placed on your project as a result of the NHPA review, include any special requirements in your contractor agreements.

**National Environmental Policy Act (NEPA)**

As you are aware, your grant is subject to NEPA and no activity shall be undertaken until a NEPA determination has been made with respect to your project. In the event that any special conditions were placed on your project as a result of a NEPA review, include any special requirements in your contractor agreements.