



# Gaston County

Gaston County  
Board of Commissioners  
www.gastongov.com

## Budget and Management Services Board Action

File #: 20-299

Commissioner Worley - Budget & Management Services - To Approve and Adopt Required Assistance and Procurement Policies for the 2020 Urgent Repair Program (URP)

### STAFF CONTACT

Pat Laws - Budget & Management Services - 704-866-3771

### BUDGET IMPACT

N/A

### BUDGET ORDINANCE IMPACT

N/A

### BACKGROUND

The mission of the NC Housing Finance Agency (HFA) is to create affordable housing opportunities for North Carolinians whose needs are not being met by the market. As part of its mission, HFA administers the Urgent Repair Program, whose funds are intended to improve living conditions for low-income elderly and disabled individuals. URP grants are made available through a competitive application process on a yearly basis.

### POLICY IMPACT

N/A

### ATTACHMENTS

Procurement & Disbursement Policy and Assistance Policy

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	JBrown	AFaley	BHovis	TKelgher	TPHillock	RWorley	Vote
2020-174	07/28/2020	RW	TK	A	A	A	A	A	A	A	U

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

**Gaston County**  
**Assistance Policy**  
**For the 2020 Cycle of the**  
**Urgent Repair Program**

**What is the Urgent Repair Program?** Gaston County has been awarded \$100,000 by the North Carolina Housing Finance Agency ("NCHFA") under the 2020 cycle of the Urgent Repair Program ("URP20"). The funds provided by the NCHFA come from the North Carolina Housing Trust Fund. An additional \$3,000 in funds for construction costs will be provided by Gaston County to the 2020 Urgent Repair Program. This program provides funds to assist very-low and low-income households with special needs in addressing housing conditions which pose imminent threats to their life and/or safety or to provide accessibility modifications and other repairs necessary to prevent displacement of very-low and low-income homeowners with special needs such as frail elderly and persons with disabilities. A total of 10 households will be assisted under URP20 for Gaston County.

This Assistance Policy describes who is eligible to apply for assistance under URP20, how applications for assistance will be rated and ranked, what the form of assistance is and how the repair/modification process will be managed. Gaston County has tried to design this URP20 project to be fair, open, and consistent with the County's approved application for funding and with NCHFA's URP Program Guidelines.

**Eligibility** To be eligible for assistance under URP20 applicants

- 1) Must reside within Gaston County and own and occupy the home in need of repair.
- 2) Must have a household income which does not exceed 50% of the County median income for the household size (see income limits below)
- 3) Must have a special need (i.e. be elderly,  $\geq 62$  years old, handicapped or disabled, a veteran, a single parent with a dependent living at home, a large family with  $\geq 5$  household members or a household with a child below the age of six with lead hazards in the home.
- 4) Must have urgent repair needs, which cannot be met through other state or federally-funded housing assistance programs.

**URP20 Income Limits\* for Gaston County**

Number in Household	30% of Median (very-low income)	50% of Median (low income)
1	\$17,550	\$29,250
2	\$20,050	\$33,400
3	\$22,550	\$37,600
4	\$25,050	\$41,750
5	\$27,100	\$45,100
6	\$29,100	\$48,450
7	\$31,100	\$51,800
8	\$33,100	\$55,150

\*Income limits are subject to change based on annually published HUD HOME Limits and will be updated each year. This update will not require a re-approval of the governing authority.

**Outreach Efforts of the Urgent Repair Program** An article about the Urgent Repair Program will be published in the local newspaper(s), Senior Centers in Gaston, on the local cable government channel, and on the County website.

#### Selection of applicants

There are many more URP-eligible households (with eligible houses) than can be assisted with the available funds. Therefore, Gaston County has devised the following priority system to rank eligible applicants, determine which of them will be selected for assistance and in what order. Under this system applicants will receive points for falling into certain categories. Applications will be ranked according to which receive the most points. If alternate applicants are not identified on the original applicant list and must be solicited, the solicited eligible applicants will be selected on a first come, first to qualify basis.

#### **Priority Ranking System for Gaston County URP20**

<i>Special Needs (for definitions, see below)</i>	<i>Points</i>
Never served by Gaston County ESFR or URP programs	5
Disabled, Elderly or Veteran Head of Household (62 or older)	4
Disabled, Elderly, or Veteran Household Member (not Head of Household)	3
Single-Parent Household (with one or more children in the home)	3
Large Family (5 or more permanent residents)	2
Child under 6 with lead hazards in the home	2
<i>Income (See Income Table above)</i>	<i>Points</i>
Less than 30% of County Median Income	10
30% to 50% of County Median Income	5

**\*\*NOTE\*\*** *If the household has more than one special need as outlined above then that applicant will receive the allotted points for all applicable categories (e.g. If a household has an elderly head of household member who is also a single parent and has more than 5 permanent residents, that applicant would receive 9 priority points.*

**In the case of equivalent rankings based on the above criteria, the applicant with the lowest percentage of median income will rank highest.**

Under NCHFA Program Guidelines, a minimum of 50% of households assisted must have incomes which are less than 30% of the area median income for the household size, and no household with an income exceeding 50% of the area median income will be eligible. This guideline will be adhered to strictly and will be the primary factor in the selection of those households to be assisted under URP20.

Recipients of assistance under the URP20 will be chosen by the above criteria without regard to race, color, religion, national origin, sex, familial status and disability.

**The definitions of special needs' populations under URP20 are:**

- *Never Served by Gaston County:* If your home has never received repairs through URP and/or ESFR programs, extra points will be added to your application.
- *Elderly:* An individual aged 62 or older.

- *Disabled:* A person who has a physical, mental or developmental disability that greatly limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment.
- *Large Family:* A large family household is composed of five or more individuals; at least four are immediate family members.
- *Head of Household:* The person or persons who own(s) the house.
- *Household Member:* Any individual who is an occupant (defined below) of the unit to be rehabilitated shall be considered a "household member" (the number of household members will be used to determine household size and all household members are subject to income verification).
- *Occupant:* An occupant is defined as any immediate family member (mother, father, spouse, son/daughter of the head of the household, regardless of the time of occupancy); or non-immediate family member who has resided in the dwelling at least 3 months prior to the submission of the family's application.
- *Single-Parent Household:* A household in which one and only one adult resides with one or more dependent children.
- *Veteran:* A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.
- *Child with Lead Hazards:* a child below the age of six with lead hazards in the home.

**Client Referral and Support Services** Many homeowners assisted through the Urgent Repair Program may also need other services. When the Urgent Repair Program staff person meets the homeowner during the work write-up process, he will discuss additional resources in the County for which the homeowner may qualify and provide contact information for accessing those services.

**What is the form of assistance under URP20?** The Program will provide assistance to homeowners whose homes are selected for repair/modification in the form of a loan. Homeowners will receive an unsecured, deferred, interest-free loan, forgiven at a rate of \$2,000 per year, until the principal balance is reduced to zero.

**What is the amount of the loan?** The amount of the loan will depend on the scope of work necessary to address the identified imminent threats to life and/or safety, and that will be determined by the Program Manager. There is no minimum to the amount of the loan; however the maximum life-time limit according to the guidelines of URP20 is \$10,000.

**What kinds of work will be done?** Only repairs that address imminent threats to the life and/or safety of occupants of the dwelling unit or accessibility modifications will be performed under the County's URP. It should be noted that all deficiencies in a home may not be rectified with the available funds. All work that is completed under URP20 must meet or exceed NC Residential Building Code.

**Who will do the work on the homes?** Gaston County is obligated under URP20 to ensure that quality work is done at reasonable prices and that all work is contracted through a fair, open and competitive process. To meet those very difficult requirements, Gaston County will invite bids only from contractors who are part of an "approved contractors' registry." Please request a copy of the Gaston County Procurement and Disbursement Policy for further information.

(Homeowners who know of quality rehabilitation contractors that are not on the Gaston County Approved Contractors Registry are welcome to invite them to apply.)

A minimum of three approved contractors will be invited to bid on each job, and the lowest responsive and responsible bidder will be selected for the contract. "Responsive and responsible" is described in the Procurement and Disbursement Policy.

**What are the steps in the process, from application to completion?** Now that you have the information about how to qualify for the URP20 program, what work can be done, and who will do it, let's go through all the major steps in the process:

1. **Completing an Application form:** Homeowners who wish to apply for assistance must do so between August 3<sup>rd</sup> and August 31<sup>st</sup> of 2020. Applications must be valid and completed by the deadline to be ranked. All applications received after August 31<sup>st</sup>, 2020 will be placed on a waiting list for a second ranking if remaining funds exist. No applications will be taken after September 1<sup>st</sup> of 2020.
2. **Where do I apply:** Apply by contacting Cynthia Buchanan DHHS Economic Support Services Department at 704-862-7963 and/or Marc Bolick URP Program Manager at 704-866-3559. Proof of ownership and income will be required. Those who have applied for housing assistance from the URP Program in the past will not automatically be reconsidered. A new application will need to be submitted.
3. **Preliminary inspection:** The Program Manager will visit the homes of potential loan recipients to determine the need and feasibility of repairs/modifications.
4. **Screening of applicants:** Applications will be rated and ranked by the County based on the priority system outlined on page 2. The households to be assisted will be selected by October 15 of 2020. Household income will be verified for program purposes only (information will be kept confidential). Ownership of property will be verified along with other rating factors. From this review, the ten (10) most qualified applicants will be chosen according to the priority system described above. There will also be a list of three (3) alternates. Applicants not receiving notification that they were chosen by October 15 of 2020 may contact Marc Bolick Program Manager at 704-866-3559 to confirm the disposition of the application after that date.
5. **Applicant interviews:** Approved applicants will be provided detailed information on assistance, program repair/modification standards and the contracting procedures associated with their project at this informational interview.
6. **Work write-up:** The County's Program Manager and/or Housing Rehab Specialist will visit the home again for a more thorough inspection. All parts of the home must be made accessible for inspection, including the attic and crawlspace, if any. The owner should report any known problems such as electrical short circuits, blinking lights, roof leaks and the like. The Program Manager and/or Housing Rehab Specialist will prepare a complete and detailed work specifications (known as the "work write-up." A final cost estimate will also be prepared by the Program Manager and/or Housing Rehab Specialist and held in confidence until bidding is completed.

7. **Formal agreement:** After approval of the work write-up, the homeowner will sign a formal agreement that will explain and govern the repair/modification process, and an explanation of the Promissory Note, which is considered a forgivable loan. This agreement will define the roles of the parties involved throughout the process.
8. **Bidding:** The work write-up and bid documents will be emailed or mailed to a minimum of three contractors on the Approved Contractors' Registry who will be given one week in which to inspect the property and prepare bid proposals. The names of the invited contractors will be supplied to the homeowner. Each will need access to those areas of the house, in which work is to be performed, in order to prepare a bid. A bid opening will be conducted at the Gaston County Administration Building at a specified date and time, with all bidders and the homeowner invited to attend. It is not required for the homeowner to attend.
9. **Contractor selection:** Within 1 week of the bid opening, after review of bid breakdowns and timing factors, the winning bidder will be selected. All bidders and the homeowner will be notified of (1) the selection, (2) the amount, (3) the amount of the County's cost estimate, (4) any support or contingency costs that will be included in the loan amount, and (5) if other than the lowest bidder is selected, the specific reasons for the selection.
10. **Execution of loan and contract:** The loan will be executed as well as the repair/modification contract prior to work beginning on the project. If funding is available, project related support costs incurred up to the amount of \$1,000 will be included in the loan document. If any additional funding is available above and beyond hard and support costs, the loan document may or may not include a contingency amount of up to 20% of the estimated cost for any unforeseen project costs during the course of the project. The total loan amount will never exceed \$10,000. If any portion of the contingency amount is not incurred during the course of the project, then the appropriate Estoppel paperwork will be completed to represent the actual (decreased) project costs.
11. **Pre-construction conference:** A pre-construction meeting will be held at the home or designated location. At this time, the homeowner, contractor and program representatives will be present and discuss the details of the work to be done. Starting and ending dates will be agreed upon, along with any special arrangements such as weekend or evening work hours and disposition of items to be removed from the home (such as old plumbing, etc.). If the contract has been executed, Gaston County will issue a "proceed order" formally instructing the contractor to commence by the agreed-upon date.
12. **Construction:** The contractor will be responsible for obtaining any required building permits for the project before beginning work. The permit must be posted at the house during the entire period of construction. Program staff will closely monitor the contractor during the construction period to make sure that the work is being done according to the work write-up (which is made a part of the rehabilitation contract by reference) and in a timely fashion. Code Enforcement Officers will inspect new work for compliance with the State Building Code as required by the guidelines of URP20. The homeowner

will be responsible for working with the contractor toward protecting personal property by clearing work areas as much as practicable.

**13. Change Orders:** All changes to the scope of work must be reduced to writing as a contract amendment ("change order") and approved by all parties to the contract: the owner, the contractor and two representatives of Gaston County. If the changes require an increase in the loan amount, a loan modification stating these changes in the contract amount must be completed by Gaston County, and executed by the owner. If the changes result in a decrease in the loan amount, an estoppel informing the homeowner of these changes in the contract amount will be completed by the Gaston County and conveyed to the owner.

**14. Payments to contractor:** The contractor will be paid following inspection of and satisfactory completion of all items on the work write-up and change orders, if any, as outlined in the Gaston County Procurement and Disbursement Policy.

**15. Post-construction meeting:** Following construction the contractor and the Program Manager and/or Housing Rehab Specialist will sit down with the homeowner one last time. At this meeting the contractor will hand over all owner's manuals and warranties on equipment. The contractor and Program Manager and/or Housing Rehab Specialist will go over operating and maintenance requirements for any new equipment installed and discuss general maintenance of the home with the homeowner. The homeowner will have the opportunity to ask any final questions about the work and the loan.

**16. Closeout:** Once each item outlined in section 15 has been satisfied and the homeowner has signed a Certificate of Satisfaction, the job will be closed out (fully completed).

**What are the key dates?** If, after reading this document, you feel that you qualify for this program and wish to apply, please keep the following dates in mind:

- Applications available to the public starting August 3rd, 2020.
- Applications must be turned in to Gaston DHHS Economic Support Services Department by 5:00 PM on August 31st, 2020.
- Selected households will be notified by October 15 of 2020.
- All rehabilitation work must be under contract by October 15, 2021.
- All rehabilitation work must be completed by December 31, 2021.

**How do I request an application?** Just contact:

Cynthia Buchanan  
DHHS Economic Support Services Department  
330 Dr. Martin Luther King Jr. Way  
Gastonia, NC 28052  
Phone: 704-862-7963

Marc Bolick URP Program Manager  
Gaston County Building Inspections  
P.O. Box 1578  
Gastonia, NC 28056  
Ph. 704-866-3559  
Email: [marc.bolick@gastongov.com](mailto:marc.bolick@gastongov.com)

**Is there a procedure for dealing with complaints, disputes and appeals?** Although the application process and repair/modification guidelines are meant to be as fair as possible, the Gaston County URP Program realizes that there is still a chance that some applicants or participants may feel that they are not treated fairly. The following procedures are designed to provide an avenue for resolution of complaints and appeals.

During the application process:

1. If an applicant feels that his/her application was not fairly reviewed or rated and would like to appeal the decision made about it, he/she should contact Housing URP Program Manager Marc Bolick within five days of the initial decision and voice their concern. If the applicant remains dissatisfied with the decision, the detailed complaint should be put into writing.
2. A written appeal must be made within 10 business days of the initial decision on an application.
3. Gaston County will respond in writing to any complaints or appeals within 10 business days of receiving written comments.

During the repair/modification process:

1. If the homeowner feels that repairs or modifications are not being completed according to the contract, he/she must inform the contractor and the Program Manager.
2. The Program Manager will inspect the work in question. If he finds that the work is not being completed according to contract, the Program Manager will review the contract with the contractor and ask the contractor to remedy the problem.
3. If problems persist, a mediation conference between the homeowner and the contractor may be convened by the Program Manager and facilitated by the Gaston County Grants Administrator.
4. Should the mediation conference fail to resolve the dispute, the Grants Administrator, Pat Laws, will render a written final decision. She may be contacted by email: [plaws@gastongov.com](mailto:plaws@gastongov.com) or phone 704-866-3771.
5. If the Program Manager finds that the work is being completed according to contract, the complaint will be noted and the Program Manager and the homeowner will discuss the concern and the reason for the Program Manager's decision.

**Will the personal information provided remain confidential?** Yes. All information in applicant files will remain confidential. Access to the information will be provided only to County employees who are directly involved in the program, the North Carolina Housing Finance Agency and auditors.

**What about conflicts of interest?** No officer, employee or other public official of Gaston County, or member of the Gaston County Commission, or entity contracting with Gaston County, who exercises any functions or responsibilities with respect to URP20 shall have any interest, direct or indirect, in any contract or subcontract for work to be performed with program funding, either for themselves or those with whom they have family or business ownership ties, during their tenure or for one year thereafter. Relatives of Gaston County employees, Council Members and others closely identified with the County, may be approved for rehabilitation assistance only upon public disclosure before the Gaston County Commission and written permission from NCHFA.



**What about favoritism?** All activities under URP20, including rating and ranking applications, inviting bids, selecting contractors and resolving complaints, will be conducted in a fair, open and non-discriminatory manner, entirely without regard to race, color, religion, national origin, sex, familial status and disability

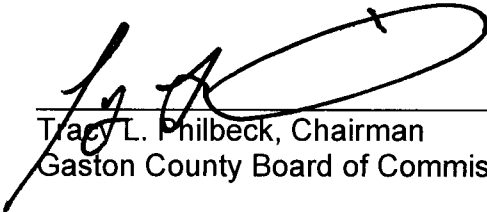
**Emergency and Health Notifications?** Due to the current COVID-19 pandemic, increased awareness of the need to protect County representatives and the homeowners they serve from various health related exposures has become more apparent than ever. Homeowners participating in the URP20 program must agree to follow all local, state and federal guidelines for emergency preparedness surrounding the COVID-19 pandemic and any other emergency declared that include their property address for the duration of construction on the property.

**Who can I contact about URP20?** Any questions regarding any part of this application or program should be addressed to:

Marc Bolick URP Program Manager  
Gaston County Building Inspections  
P.O. Box 1578  
Gastonia, NC 28056  
Ph. 704-866-3559  
Email: marc.bolick@gastongov.com

Contacts will do their utmost to answer questions and inquiries in the most efficient and correct manner possible.

This Assistance Policy is adopted this 28th day of July 2020.

  
Tracy L. Philbeck, Chairman  
Gaston County Board of Commissioners

  
Notary Public

*My Commission Expires: August 8, 2024*

ANGELA STACKS  
NOTARY PUBLIC  
GASTON COUNTY, NORTH CAROLINA

**Gaston County  
2020**

**Procurement and Disbursement Policy  
URGENT REPAIR PROGRAM**

**PROCUREMENT POLICY**

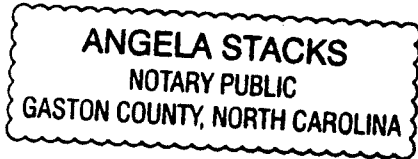
1. To the maximum extent practical, Gaston County (the County) promotes a fair, open and competitive procurement process as required under the North Carolina Housing Finance Agency's Urgent Repair Program (URP). Bids are invited from Contractors who are part of the County's approved contractor registry. (To be on the registry, a contractor must complete an application, have their recent work reviewed and approved by the Program Manager and submit proof of insurance.) Any contractor listed with and approved by the County and in good standing (i.e., no unresolved, past-performance issues) receives automatic approval status on the contractor registry.
2. At least three eligible contractors on the County's approved contractor registry will be invited to bid on each job and the lowest responsive and responsible bidder will 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% below or 20% above the County's cost estimate, and (c) there is no conflict of interest (real or apparent).
3. Although bid packages may be bundled for multiple job sites, the bids for multiple job sites will be considered separate and apart when awarded and will be awarded to the lowest responsive and responsible bidder(s) for each job site.
4. Bid packages will consist of an invitation to bid, work write up(s) and bid sheet(s) for each job.
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.
7. No work may begin prior to the following documents being awarded and fully executed: a loan between the County and the homeowner and a contract between the vendor and the County; additionally, a written order to proceed will be provided by the County to the contractor, with a copy to the homeowner, clearly stating the times available for construction activities. In addition, a pre-construction conference and "walk thru" shall be held at the work site prior to commencement of repair work.
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, emails, 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 County will track who has been called and is responsive and will rotate through the list before starting through the rotation again.
10. All sealed bids will be opened publicly at a time and place to be announced in the bid invitation. All bidders are welcome to attend.
11. Gaston County is an equal opportunity employer, implements nondiscriminatory 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.


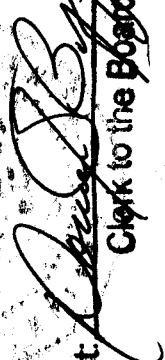
#### **DISBURSEMENT POLICY**

1. All repair work must be inspected by (a) the County's Program Manager and/or the Housing Rehab Specialist, and (b) the homeowner prior to any payments to contractors. Also, Code Enforcement Officers will inspect new work for compliance with the State Building Code as required by the guidelines of URP20. If all work is deemed satisfactory and all other factors and written agreements are in order, payment will 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. 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 Program Manager, payment may be withheld until such time the work is satisfactory. (Contractors may follow the County's Urgent Repair Program Assistance Policy if a dispute occurs; however, contractors will abide by the final decision as stated in the policy).
3. The County assures, through this policy, that adequate funds will be available to pay the contractor for satisfactory work.
4. All contractors, sub-contractors and suppliers must sign a lien waiver prior to disbursement of funds.
5. At project closeout a certificate of final inspection will be done by the Program Manager indicating that work has been satisfactorily completed in accordance with the contract.

The Procurement and Disbursement Policies are adopted this the 28th day of July 2020.



  
Tracy L. Philbeck, Chairman  
Gaston County Board of Commissioners

  
Attest:  Clerk to the Board  
7/28/20

  
Notary Public

*My Commission Expires: August 8, 2024*

**CONTRACTORS STATEMENT:**

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

BY: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

WITNESS: \_\_\_\_\_