



**MAYOR JUSTIN M. BIBB**  
City of Cleveland

**BLAINE A. GRIFFIN, PRESIDENT**  
Cleveland City Council

**City of Cleveland**  
**Department of Community Development**

**Contractor Pricing List**  
**And**  
**Contractor Rotation List**

**Request for Proposals: Due July 8, 2022**

**Justin M. Bibb, Mayor**  
City of Cleveland

**Alyssa Hernandez, Director**  
**Department of Community Development**

The City of Cleveland has proposed to conduct an Exterior Paint Program for eligible Cleveland homeowners as an incentive to maintain the exterior of their homes and aid in reducing lead-based paint hazards by providing paint supplies, exterior paint and the necessary labor needed to prepare and paint homes.

**INVITATION AND ELIGIBILITY REQUIREMENTS:**

The City of Cleveland, Department of Community Development, is requesting proposals from contractors to participate in the Exterior Paint Program for homes that require painting.

This request for proposals seeks to:

- establish a rotation list of qualified contractors and
- establish fixed cost-reimbursement line-item pricing for the program (2 CFR 200.320(d)).

**ANTICIPATED TERM OF CONTRACT AND FUNDING:**

All contractors must comply with all guidelines and requirements of the Exterior Paint Program. They must also comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards at 2 CFR Part 200.

The pricing list and contractor rotation list established as a result of this RFP will be in effect on or about **July 22, 2022, and be effective for a period of not less than 12 calendar months.**

**ELIGIBLE RESPONDENTS:**

That the Director of Community Development is authorized to canvas and select, without competitive bidding, pre-qualified professional painters to prepare and paint a home, in limited circumstances for the Exterior Paint Program.

Contractors that have the capacity to perform exterior painting in the State of Ohio and comply with the necessary requirements listed under the Required Documents Section are eligible to participate.

**REQUIRED DOCUMENTS SECTION**

The pre-qualified painters must be able to provide the following:

- **Painting** – Complete painting, priming, and coating on multiple surfaces according to work specifications and manufacturer specifications, and follow quality and safety guidelines.

- **Prepping** – Must agree to adequately prepare houses for painting, including scraping, cleaning, and identifying wood that needs to be replaced.
  - Must agree to provide proper preparation for the present substrate on the house; which could be wood, shack shingles, brick, vinyl siding, or aluminum siding.
  - Must agree to utilize brushes, spray gun, or paint rollers to accurately paint various surfaces.
  - Paint contractors must be able to repair or replace deteriorated wood siding on the housing structure.
  
- **Contractor Availability** - Must be available to work at least six days a week, Monday through Saturday and meet time of performance as noted on the Proceed Order.
  
- **References** – Program may request up to three professional references.
  
- **RRP Firm** – Preferred RRP (Renovate, Repair and Paint) firm certified by EPA (Environmental Protection Agency).
  
- **Work Lead Safe** - Must agree to follow lead safe standards and not create lead hazards as defined by HUD Office of Lead Hazard Control and Healthy Homes at [https://www.hud.gov/sites/documents/DOC\\_11878.PDF](https://www.hud.gov/sites/documents/DOC_11878.PDF).
  
- **Job Set-Up** - Must agree to prepare and protect work surfaces with drop cloths and masking and are responsible for preparing and cleaning of job site daily.
  
- **Work Product** - Must agree to provide quality work and take corrective action for conditions that may affect job quality and follow historical guidelines for housing in historical areas. See General Specification Standards – Exhibit B below.
  
- **Job Safety** - Must agree to follow safety protocols as identified in OSHA guidelines, be responsible for the setup and execution of tasks on scaffolding and ladders, ensure proper disposal of paint and paint waste, including paint chips/flakes from prepping the house

**Damage** - Contractor will correct, at no charge, all damage, including damage resulting from the use of defective materials by the Contractor, its employees, or any Subcontractor during the performance of the Contract.

**Warranty** - Paint contractors will warrant the paint job for at least five years. If cracking or bubbling does occur, the contractor will return and make the necessary repairs at no additional cost to the occupant.

## **PROPOSAL DEADLINE AND SUBMITTAL PROCEDURES**

**A pre-proposal conference** will be held at The Cleveland Department of Community Development, 601 Lakeside Ave, 3<sup>rd</sup> Floor room 320 (North Point Conference Room), Cleveland, OH , 44114 on **Friday, June 24, 2022, 3:00 p.m.**, Eastern Standard Time (EST). All questions pertaining to the Request for Proposals (RFP) and the services shall be submitted in writing before the conference to Commissioner Louise V. Jackson at [ljackson@clevelandohio.gov](mailto:ljackson@clevelandohio.gov). Please contact Elyse Williams at (216) 664-4167 or email [EWilliams@clevelandohio.gov](mailto:EWilliams@clevelandohio.gov).

Those planning to attend the pre-proposal conference must register by **4:00 p.m. EST, Friday, June 17, 2022**. When registering, it will be necessary to provide the names of all attendees. Attendance is not mandatory for prospective proposers.

If your firm is interested, please submit to the City no later than **5:00 p.m. EST, Friday, July 8, 2022**, an original and three (3) complete duplicates of your technical proposal and your fee proposal, in hard copy. Submit the technical proposal in a separate sealed envelope, marked appropriately on the outside and, if possible, enclosed in one package.

No proposals will be accepted after that date and time unless the City extends the deadline by a written addendum.

Sealed proposals may be mailed or delivered to the address below and must be identified on the outside of the envelope(s) as: Proposal for "Exterior Paint Program."

**Commissioner Louise V. Jackson**  
City of Cleveland Department of Community Development  
**Division of Neighborhood Services**  
**601 Lakeside Ave, 3<sup>rd</sup> Floor Room 320**  
**Cleveland, Ohio 44114**

If proposals are hand-delivered, proposals should be addressed as above and taken to the address listed above.

The City reserves the right to reject any or all proposals or portions of them, to waive irregularities, informalities, and technicalities, to re-issue or to proceed to obtain the service(s) desired otherwise, at any time or in any manner considered in the City's best interests. The Director of Community Development may, at his/her sole discretion, modify or amend any provision of this notice or the RFP.

## **SCOPE OF SERVICES**

The City of Cleveland Department of Community Development is requesting proposals from contractors to participate in the Exterior Paint Program for homes that require painting.

This request for proposals seeks to:

- establish a rotation list of qualified contractors and
- establish fixed cost-reimbursement line-item pricing for the program (2 CFR 200.320(d)). See Excel Spreadsheet

**Provide Copies of the following Required Documents:**

- Excel Price List- All items completed with bid pricing
- Submission of addresses of three completed jobs where the contractor has obtained the permit to paint. The work will be evaluated for construction quality and customer service.
- Verification of registration with the Department of Building & Housing with the required bond
- Copy of Workmen Compensation Insurance
- Commercial Liability Insurance (\$2,000,000 aggregate/\$1,000,000 per occurrence) with the City of Cleveland name as additional insured. (Certificate Holder should state: Division of Neighborhood Services 601 Lakeside Ave, Room 302 Cleveland, Ohio 44114)
- Completion of "Background Check Form" for all principals of the company.
- Business registered with SAM- Systems for Award Management
- Active Duns Number and Cage Code
- Auto Insurance \$1,000,000 Combined single limit for bodily injury and property damage, per occurrence and \$2,000,000 aggregate.

*Proposals received after the due date may be deemed NON-RESPONSIVE and are subject to rejection.*

Questions regarding the RFP may be directed to Commissioner Louise Jackson at [LJackson@clevelandohio.gov](mailto:LJackson@clevelandohio.gov). or Chief Rehabilitation Supervisor John Warren at [JWarrem@clevelandohio.gov](mailto:JWarrem@clevelandohio.gov).

**RFP Evaluation Process**

The following outlines the RFP evaluation process:

1. A committee consisting of representation from the Division of Neighborhood Services (the Commissioner, Project Director, Program Managers, and Chief Rehabilitation Supervisor).
2. Submitted RFPs will be evaluated on the basis of:
  - Completeness

- Quality, appropriateness and feasibility
- Demonstrated ability in similar projects
- Credentials and experience of contractor

## **EXHIBIT A**

### **METHOD OF ESTABLISHING A PRICING LIST AND CONTRACTOR ROTATION LIST**

The Department has established the following regarding procurement which shall govern the process to establish a contractor pricing list and contractor rotation list.

#### **08.13.00 Specific Procurement Methods for Division of Neighborhood Services Exterior Paint Program:**

##### **08.13.01 Contractor Rotation and Pricing Request for Proposals**

Every twelve months, the Division of Neighborhood Services seeks to issue a Request for Proposals to:

- establish a rotation list of qualified contractors and
  - Establish fixed cost-reimbursement line-item pricing for the programs (2 CFR 200. 320(d)).
1. Update List-
    - Provide List with materials and work items to reflect the needs of the programs.
    - The Specification List shall not include any “cost-plus-percentage-of-cost” rate, a fixed “material handling”, “general or administrative” rate or any other rate fixed to the overall cost of the item or project. (200.323(d))
  2. Public Notice- Publish a public notice advertising Request for Proposals in Cleveland Plain Dealer. (200.323(d)(1))
  3. Invite RFP Response-
    - A specification list without prices shall be provided with the RFP package with instructions to fill in the proposed prices.
    - An electronic version of the price list workbook may be requested at the Pre-Conference meeting or by emailing Elyse Williams at [EWilliams@clevelandohio.gov](mailto:EWilliams@clevelandohio.gov) .
    - The minimum number of contractors to be invited shall not be less than ten (2 CFR 200. 320(d) (2)).
  4. RFP Submission-
    - The contractor returns the specification list with their proposed prices.
    - The minimum number of responses shall not be less than three (2 CFR 200. 320(d) (2)).
  5. Cost and Price Analysis- The City is required to perform a cost or price analysis.
    - Price analysis may be accomplished in various ways, including the comparison of price quotations submitted and additional analysis determined necessary by the Commissioner of Neighborhood Services.

- Cost analysis is the review and evaluation of each element of cost to determine reasonableness, allocability and allowability. (2 CFR 200.323)
  - The Commissioner of Neighborhood Services shall determine in writing if the submissions are reasonable and allowable. If the submission is reasonable and allowable then they will be used to establish a price list.
6. Establish Price List-
- The median for each material item or work item is established.
  - Any price greater than 10% of the median or less than 20% of the median are removed from computation and the remaining prices are averaged.
  - The average for each material or work item is the established price for a set twelve month period. (2 CFR 200. 320(d)(3))
7. Contractor Participation-
- Contractors are sent the price list with a contract.
  - If the contractor agrees to the price list, contractor rotation and meets the other program requirements, they are placed in the rotation. (2 CFR 200. 320(d)(4))
8. Contractor Rotation-
- The order of the Contractor Rotation shall be established by order of executed agreements. The contractor with the first executed agreement shall be first on the rotation list.
9. Project Assignment-
- After an applicant has been approved for a project and the inspector has reviewed the scope of work, established the estimated cost based on the fixed price list, a contractor will be selected.
  - The project will be assigned to the next contractor on the Contractor Rotation List.
  - The contractor has two working days to agree to the submitted pricing.
  - The certification of fund's process is initiated upon receipt of the final approval and the job is awarded.
10. Pre-Construction Conference
- The Financial Counselor schedules the Pre-Construction Conference with the, homeowner, contractor and (Rehabilitation Inspector or Community Engagement Specialist). At the pre-construction conference the homeowner, (Rehabilitation Inspector or Community Engagement Specialist) and contractor review the paint process, work to be done and the time of performance in completing the job and sign the Proceed Order. This includes:



- i. Review specifications of work to be completed to ensure that the homeowner understands the scope of work.
- ii. Review maintenance requirements of the work to be performed.
- iii. Review the painting process with homeowner and any homeowner involvement.
- iv. Review warranty information and requirements to ensure warranty is not violated.
  - 1. Property owner/Homeowner and Contractor sign the Proceed Order. (Should there be a contract between the contractor and owner?)
- v. The following will be given to the property owner/homeowner:
  - 1. Customer Quality Control- Pre Construction Conference
  - 2. Notice to Proceed
  - 3. Contact numbers for Rehabilitation Inspector and contractor
  - 4. Specifications
  - 5. "Prepare for Construction" information, if applicable.
  - 6. Signed contract
- vi. Notice to Proceed-
  - The Inspector will meet the contractor at the home to review Time of Performance work schedule and issue proceed orders.
  - If the Contractor does not begin construction within 30 days of the Notice to Proceed, the Commissioner of Neighborhood Services may award the job to the next contractor on the Contractor Rotation List.

#### 11. Process for approving Change Orders-

- When a project requires a change to the scope, the contractor shall report the need for a change order to the inspector and the property owner/homeowner.
- If the inspector and the property owner/homeowner agree with the need for a change order, the contractor shall submit a written change order request within 48 hours.
- The inspector shall complete a written justification verifying the quantity of materials and scope of work necessary for the change order.
- The Chief Rehabilitation Supervisor and/or Assistant Chief Rehabilitation Supervisor shall review request and the justification and forward it to the Commissioner of Neighborhood Services within 24 hours of receipt.
- The Commissioner of Neighborhood Services shall approve or deny the request.

- Pricing of the change order shall be determined by the Established Price List.

## **Exhibit B - GENERAL SPECIFICATION STANDARDS**

### **PAINTING**

#### **1. GENERAL REQUIREMENTS**

Lead based paint is prohibited. All paint within any single type or color shall be by the same manufacturer. Paint shall be kept well mixed throughout the application. Paint shall be applied per manufacturer's instructions. Paint shall not be applied below 50° F., nor when a temperature drop of more than 20° F. is forecast, nor when the temperature is over 100° F. Drop cloths shall be used to keep paint off areas not to be painted. All surfaces to be painted shall be primed, scraped of loose paint, grease, dust, and free from moisture. When scraping off old paint, care shall be taken to sweep up and dispose of all chips at the end of each work day. The chips may contain lead. All painting to be done to lead-safe guidelines.

Don't paint immediately after rain (or if rain is predicted), during foggy weather or when the temperature is below 50 degrees Fahrenheit.

#### **2. EXTERIOR PAINTING**

Approved paint shall be applied to all exterior wood including siding, soffits fascia, window frames and sashes (including behind storm windows), door frames (including behind storm doors), lattice, porch ceilings, porch rails, porch steps, and garage (if specified) siding, doors, and trim.

Preparation shall include nailing down all loose siding, caulking and removing all loose paint with a scraper, putty knife, or wire brush. Do not use open flame/high heat removal of paint. Do not use paint strippers containing hazardous materials. Do not use power sanders, needle guns or grinders without a high efficiency particulate air (HEPA) vacuum attachment. Do not use uncontained hydro blasting as removal of paint using this high-pressure water spray method can cause lead hazards. All bare wood shall be coated with approved base primer. The property owner shall select NO MORE THAN 2 colors, a primary color and a trim color, and shall choose which surfaces shall be painted the trim color. **Colors are to be approved by the Division of Neighborhood Services prior to purchase or application of paint.**

The Contractor is encouraged to determine the property owner's choices of color before submitting a bid, as full coverage is required regardless of how many coats are needed to achieve full coverage.

### **3. EXTERIOR PAINT**

Contractor must agree to provide a satin exterior latex acrylic paint with at least a 25 year warranty and primer.

### **4. PORCH FLOORS**

Porch floors, (both wood and concrete), and wood steps shall be painted with two (2) coats of gray deck paint. Paint manufacturer's instructions must be followed carefully. All rust shall be sanded off metal railings. Bare metal shall be coated with a metal primer, and the rails painted with black enamel. Anodized vinyl clad rails shall not be painted. Exterior painting shall include the removal of all loose window putty and the application of new putty. Before new putty is applied, the bed shall be thoroughly cleaned. All painting to be done to lead-safe guidelines.

### **5. EXTERIOR TRIM PAINTING**

Trim, shall include previously painted window sashes and frames, doors, door frames, and baseboards, shall be painted with approved paint. Property owner shall choose colors, full coverage required. All painting to be done to lead-safe guidelines.

### **6. MASONRY PAINTING**

Masonry surfaces shall be wire brushed and cleaned, then painted with approved exterior masonry paint. If exterior masonry paint is used over unpainted concrete block, a primer-sealer must first be applied. Property owner shall choose color full coverage is required. All painting to be done to lead-safe guidelines.

### **ACCEPTANCE OF PERFORMANCE**

Owner and Contractor agree that, upon satisfactory inspection by the Department of Community Development of the work performed with the materials selected by Owner, the Commissioner of Neighborhood Services or designee will approve payment for the completed work and disburse payment to Contractor. Owner understands and agrees that the City's right to determine the satisfactory quality of the work is created only for the City's purposes. The City will base acceptance of Contractor's work upon whether the work meets the requirements of the Performance Standards and Specifications as outline within the Proceed Order. The City's right to accept the Contractor's work is not

created for the purpose of enforcing Owner's purposes and does not create a City duty or obligation to enforce Owner's construction standards.

### **CONTRACTOR INDEMNIFICATION**

Contractor agrees to indemnify and hold harmless Owner and the City, and their respective officers, agents, and employees, against all fines for noncompliance with OSHA, EPA, and HUD requirements; and suits, claims, loss, cost, damage, expense, or liability that may be based upon any injury or damage to persons or property that may arise out of any act, error, or omission to act of Contractor, its officers, employees, and Subcontractors. Contractor will, at its own expense, defend Owner and the City in any litigation arising out of Contractor's or its Subcontractors' negligence or willful misconduct and pay on behalf of Owner and the City all sums that Owner or the City may become legally obligated to pay as a result of any litigation or claims incurred in connection therewith, including attorneys' fees, and to satisfy and cause to be discharged any judgments obtained against Owner, the City, and their respective officers, agents, or employees. The provisions of this Section will survive the expiration or earlier termination of this Contract.