

Document 00495

POST-BID PROCEDURES

1.0 DOCUMENT ADDRESSES

- A. Notice of Intent to Award.
- B. Monitoring Authority.
- C. Requirements of Bidder.
- D. Failure of Bidder to comply with requirements.
- E. Notice to Proceed.

2.0 NOTICE OF INTENT TO AWARD

- A. The City will provide written Notice of Intent to Award to Low Bidder.

3.0 DEFINITIONS

*Use one of these two Monitoring Authorities sections.
Use this first Paragraph 3.0 A. for all projects where no Community Development Block Grant (CDBG) funds are used. Delete the Paragraph 3.0 A. not used. Delete brackets, instructions and change color of remaining text to black.*

- A. The “Monitoring Authority” for this Project is:

Director
Office of Business Opportunity
City of Houston
611 Walker Street, 7th Floor
Houston, Texas 77002
Email: obocontractcompliance@houstontx.gov

*Use one of these two Monitoring Authorities sections.
Use this second paragraph 3.0 A. for Community Development Block Grant (CDBG) funded projects. Delete the Paragraph 3.0 A not used. Delete brackets, instructions and change color of remaining text to black.*

A. The "Monitoring Authority" for this Project is:

Contract Compliance, Division Manager
Housing and Community Development Department
City of Houston
2100 Travis Street, 9th Floor
Houston, Texas 77002

B. The "Contracting Department" for this Project is:

Director, Department of [Contracting Department]
City of Houston
P.O. Box [Box #]
Houston, Texas 77251
ATTN: [Project Manager, Contract Technical Representative, etc.]

HAS Only: Add the following paragraph on all Aviation Projects and edit the rest of this document wherever there is a choice between "Project Manager" and "Post-bid Coordinator". Delete brackets, instructions and change color of remaining text to black.

C. The "Post-bid Coordinator" for this Project is:

Deputy Director/PDC
City of Houston
Houston Airport System
16930 J. F. Kennedy Blvd.
Houston, Texas 77032
ATTN: Senior Coordinator, Administrative Support Division

4.0 REQUIREMENTS OF BIDDER

A. Within 10 days of receipt of Notice of Intent to Award, Low Bidder shall execute and deliver to «PrjMgrName», Project Manager and Monitoring Authority, for the City's approval, documents indicated by an "X" below:

[] Document 00570 – Revised MWSBE Participation Plan (*Do not submit if OBO Director approved Document 00470, Bidder's Plan*).

[X] Executed Subcontract(s), Letter(s) of Intent, or documentation of good faith efforts to meet the MWBE/PDBE/DBE/SBE goals.

[] Early Payment Discount Language Acceptance Form

B. Within 10 days of receipt of Notice of Intent to Award, Low Bidder shall execute and deliver to «PrjMgrName», Project Manager for the City's approval, documents indicated by an "X" below:

- [X] Document 00501 - Resolution of Contractor
- [X] Document 00520 - Agreement
- [X] Document 00600 - List of Proposed Subcontractors and Suppliers, Part B - Schedule of Non-MWBE/PDBE/DBE/SBE Subcontractors and Suppliers
- [X] Document 00601 - Drug Policy Compliance Agreement
- [X] Document 00602 - Contractor's Drug-free Workplace Policy (*Contractor creates this document.*)
- [X] Document 00604 - History of OSHA Actions and List of On-the-job Injuries
- [X] Document 00605 - List of Safety Impact Positions (*Contractor completes this list. Do not submit if submitting Document 00606.*)
- [] Document 00606 - Contractor's Certification of No Safety Impact Positions (*Do not submit if submitting Document 00605.*)
- [] Document 00607 - Certification Regarding Debarment, Suspension, and Other Responsibility Matters
- [] Document 00608 - Contractor's Certification Regarding Non-segregated Facilities for Project Funded by AIP Grant
- [X] Document 00610 - Performance Bond
- [X] Document 00611 - Statutory Payment Bond
- [X] Document 00612 - One-year Maintenance Bond
- [] Document 00613 - One-year Surface Correction Bond
- [X] Document 00620 - Affidavit of Insurance (*with Certificate of Insurance attached*)
- [X] Document 00622 - Name and Qualifications of Proposed Superintendent (*Contractor creates this document.*)
- [] Document 00623 - Contractor's Act of Assurance (SRF Form ED-103)
- [X] Document 00624 - Affidavit of Compliance with Affirmative Action Program
- [] Document 00625 - SRF Participation Summary
- [] Document 00626 - SRF Affirmative Steps Solicitation Report
- [] Document 00627 - SRF Prime Contractor Affirmative Steps Certification and Goals
- [] Document 00629 - Affidavit for FAA Form 7460-1
- [X] Document 00630 - Certification of Agreement to Comply with Pay or Play Program
- [X] Document 00631 - City of Houston Pay or Play Program – List of Participating Subcontractors
- [X] Document 00636 – Certificate of Interested Parties
- [] Document 00809 – CDBG Requirements for Federally Funded Projects

- C. Within 10 days of receipt of Notice of Intent to Award, Low Bidder shall execute the following forms and deliver them directly to the Monitoring Authority.

Use this first Paragraph C.1 below for Projects that do not use Community Development Block Grant (CDBG) funds. Delete brackets, instructions and change color of remaining text (if any) to black.

«ShortPrjName»

WBS No. «WBSNo»

POST-BID PROCEDURES

1. ☒ Document 00805, EEO-3 - Certification by Bidder Regarding Equal Employment Opportunity
- ☒ Document 00805, EEO-6 - Total Work Force Composition of the Company *or in lieu thereof, a copy of the latest Equal Employment Opportunity Commission's EEO-1 form (This information is required only if the Contractor has a work force of 50 or more people and the Contract is \$50,000 or more.)*
- ☒ Document 00805, EEO-7 - Company's Equal Employment Opportunity Compliance Program
- ☐ Document 00805, EEO-26, Certification by Proposed Subcontractor Regarding Equal Employment Opportunity
- ☐ Document 00805, EEO-30, Certification by Proposed Material Supplier, Lessor, and Professional Service Providers Regarding Equal Employment Opportunity
- ☒ Document 00820 or 00821, Exhibit "B" - Certificate from Contractor Appointing Officer or Employee to Supervise Payment of Employees
- ☒ Document 00820 or 00821, Exhibit "C" - Certificate from Subcontractor Appointing Officer or Employee to Supervise Payment of Employees

Use this second Paragraph C.1 for CDBG-funded projects. Delete paragraph not used. Delete brackets, instructions and change color of remaining text to black.

1. Original forms contained in Document 00809 – CDBG Requirements for Federally Funded Projects:
 - ☒ Page 00809-0, City of Houston Department of Housing & Community Development, Program Monitoring Division
 - ☒ Page 00809-40, Section 3 Resident Certification
 - ☒ Page 00809-55, MWDBE Participation Plan
 - ☒ Page 00809-60, Certificate from Contractor Appointing Officer or Employee to Supervise Payment of Employees
 - ☒ Page 00809-61, Certification Regarding Lobbying
 - ☒ Page 00809-62, Certification Regarding Debarment, Suspension, and Other Responsibility Matters

Use this third Paragraph C.1 for SRF-funded projects. Delete paragraph not used. Delete brackets, instructions and change color of remaining text to black.

1. ☒ Document 00805, EEO-3 - Certification by Bidder Regarding Equal Employment Opportunity
- ☒ Document 00805, EEO-6 - Total Work Force Composition of the Company *or in lieu thereof, a copy of the latest Equal Employment Opportunity Commission's EEO-1 form (This information is required only if the Contractor has a work force of 50 or more people and the Contract is \$50,000 or more.)*

- [X] Document 00805, EEO-7 - Company's Equal Employment Opportunity Compliance Program
 - [] Document 00805, EEO-26, Certification by Proposed Subcontractor Regarding Equal Employment Opportunity
 - [] Document 00805, EEO-30, Certification by Proposed Material Supplier, Lessor, and Professional Service Providers Regarding Equal Employment Opportunity
 - [X] Document 00812, Exhibit "A" – Certificate from Contractor Appointing Officer or Employee to Supervise Payment of Employees
 - [X] Original completed form Document 00633 - Certification by Proposed Material Suppliers, Lessors, and Professional Service Providers Regarding Equal Employment Opportunity, for each proposed material supplier and equipment supplier.
- 2. Original completed form Document 00633 - Certification by Proposed Material Suppliers, Lessors, and Professional Service Providers Regarding Equal Employment Opportunity, for each proposed material supplier and equipment supplier.
- D. Designations of Subcontractors and Suppliers, who have been selected by Bidder in Part B - Schedule of Non-MWBE/PDBE/DBE/SBE Subcontractors and Suppliers of Document 00600 - List of Proposed Subcontractors and Suppliers, and accepted by the City, may be changed only with prior notice and acceptance by Project Manager as provided in Conditions of the Contract. For each Product Supplier subsequently added or substituted, provide an original completed form, Document 00633 - Certification by Proposed Material Suppliers, Lessors, and Professional Service Providers Regarding Equal Employment Opportunity, directly to the Monitoring Authority.
- E. On Bidder's written request, «PrjMgrName», Project Manager may grant an extension of time, not to exceed 5 days, to furnish documents specified in Paragraphs 4.0.A and 4.0.B. If Bidder is required to resubmit documents specified in Paragraph 4.0.A or 4.0.B, Bidder shall do so within time limits provided in the request for resubmission.

Delete the following Paragraph if there is no MWBE goal.

Aviation and CDBG Projects Only: Edit the following paragraph to add Document 00807. Delete brackets, instructions and change color of remaining text to black.

- F. Designations of Subcontractors and Suppliers, who have been selected by Bidder in its Participation Plan, and accepted by the City, may be changed only with prior notice and acceptance by the Monitoring Authority as provided in Document 00808 - Minority and Women-owned Business Enterprise (MWBE), Persons with Disabilities Business Enterprise (PDBE) and Small Business Enterprise (SBE) Program. [and/or Document 00809 – CDBG Requirements for Federally Funded Projects].

Delete the following Paragraph if there is no MWBE goal.

SRF Projects Only: Delete brackets, instructions and change color of remaining text (if any) to black.

- F. Designations of Subcontractors and Suppliers, who have been selected by Bidder in its Participation Plan, and accepted by the City, may be changed only with prior notice and acceptance by the Monitoring Authority as provided in Document 00806 – Environmental Protection Agency Disadvantaged Business Enterprises and Wage Rate Requirements.

5.0 FAILURE OF BIDDER TO COMPLY WITH REQUIREMENTS

- A. Should Bidder, on receipt of Notice of Intent to Award, fail to comply with requirements of this Document 00495 within stated time, the City may declare award in default and require forfeiture of the Security Deposit.
- B. After the City's written notice of default to Low Bidder, the City may award the Contract to Bidder whose offer is the next lowest bid, and Security Deposit of Bidder in default shall be forfeited to the City in accordance with provisions of Document 00200 - Instructions to Bidders.

6.0 NOTICE TO PROCEED

- A. Upon the City's execution of the Agreement and delivery to Contractor, City Engineer will give Document 00551 - Notice to Proceed to Contractor, which establishes Date of Commencement of the Work.

END OF DOCUMENT