



North Carolina Department of Public Safety

Office of Recovery and Resiliency

AMENDMENT NUMBER THREE (3) to the Agreement

between
the North Carolina Department of Public Safety, Office of Recovery and Resiliency
and
Rescue Construction Solutions

This document shall amend Contract #19-IFB-015374-DAD for **Modular Housing Construction and Installation** (“Agreement”) by and between Rescue Construction Solutions and the North Carolina Department of Public Safety, Office of Recovery and Resiliency (hereinafter referred to individually as “State” or “NCORR”). Except as provided in this Amendment, all terms and conditions of the original Agreement, including all previous Amendments, Responses, and all of its exhibits constitutes the entire agreement between the parties.

- I. **This Amendment exercises the LAST one-year renewal option for the period August 25, 2023 through August 24, 2024. No renewal options remain per the contract.**

- II. **Section 5.1 has been revised as follows:**

5.1 GENERAL

NCORR is seeking to procure the services of a vendor to deliver turnkey modular housing and/or elevation of modular eligible structures in compliance with local, Federal, and State statutory requirements for grants. Vendor must have the ability to **begin work on work orders** no later than **60 calendar days from award** (which shall include obtaining consent to perform the work, permitting, surveying, temporary utilities, etc.) and complete assigned construction projects within the contracted time (subject to environmental remediation). Construction shall not exceed **105 calendar days** from issuance of Work Order to issuance of Certificate of Occupancy (“COO”) from AHJ for Modular housing. Construction shall not exceed **115 calendar days** from issuance of Work Order to issuance of Certificate of Occupancy (“COO”) from AHJ for modular housing plus elevation.

Vendor will be bound to specific terms and conditions which are subject to change prior to the execution of any contract that may result from this Solicitation. However, it is the intent and goal of NCORR and the State of North Carolina to make every HRP home project successful, so Vendor is encouraged to work proactively with NCORR, its construction manager(s) and grant eligibility Vendor(s) to identify and resolve all issues and problems immediately to minimize delays in completing construction projects.

Due to the urgency in returning homeowners back to a decent, safe, and sanitary home, a completion quota will be established and agreed upon for a minimum completion of 42 modular projects every quarter (3-consecutive months). This quota is effective immediately following contract renewal signing. If this production quota is not hit over a 3 month time frame, Liquidated Damages (at \$500.00 per day) will be assessed for each additional day until the quota is met.

III. Section 5.3 is revised as follows:

5.3 MODULAR & MODULAR PLUS ELEVATION SCOPE OF WORK

The scope of work for each modular structure will vary but may include, although not be limited to:

- a) Coordination with the property owner and his/her family from issuance of a work order to obtaining a certificate of occupancy for closing;
- b) Utility disconnection and deactivation/reconnection and reactivation;
- c) Demolition of existing structure;
- d) Debris removal and disposal in accordance with all federal, state and local requirements; Vacancy inspection and site preparation including fencing removal and replacement;
- e) Construction of new residential structures including 1,2, 3, 4 and 5-bedroom floor plans in accordance with all applicable local and state, federal, and ICC codes and standards;
- f) Accessibility and design of projects to comply with the American with Disabilities Act of 1990 (if applicable) unless a HUD exception applies;
- g) Vendor should be prepared to assess abatement needs and perform any required abatement on existing structures on the project. Vendor will work with CM on any demolition abatement work to assess whether full structure should be demolished pursuant to hazardous waste requirements or if only certain sections of the demolished structure should follow hazardous waste requirements and needed by availability in hazardous waste;
- h) Final survey/elevation certificate requirements;
- i) Move-out and move-in coordination with the property owner, including moving of possessions and payment and coordination of delivery and pickup of POD storage devices; and
- j) Lead, asbestos, radon, and other environmental abatement services, where applicable.
- k) Final Home Energy Rating System (HERS) Certificate.
- l) Required permits and certificates.
- m) ADA Compliance to include, although not limited to, ramps and lifts where required;
- n) 5 shrubs, 2 pallets of sod, 3 CY of mulch, and 4000 SF of hand seeding is required to be included within this scope.
- o) Elevation projects do not require pricing for foundation design, initial site survey, and initial elevation certificate, as this is provided by NCORR.

IV. Section 5.4 is amended as follows:

5.4 ELEVATION SCOPE OF WORK

This scope of work for each modular structure shall be in addition to the modular scope of work above.

Each structure elevation shall consist of steps to produce the construction documents for the local authority having jurisdiction approval. These steps will require multiple site visits by various professionals to develop the necessary documents needed for complete construction documents. Vendor and Professional Engineer/Registered Architect (PE/RA) provided by NCORR shall schedule or provide services as follows:

- a) All homes that are deemed to need elevation will require a site survey and initial and final elevation certificates. The Site Survey and initial Elevation Certificate for elevation projects will be performed and provided by NCORR's vendor and must be followed by the GC. Elevated foundation design drawings will also be provided by NCORR. All other engineering, architectural, surveying, and environmental services will be required to be provided by the GC and included in the bid price.

- b) Geotechnical Soil Borings. Geotechnical soil borings will be needed for clarification on soil types at properties where home elevation is required. The Vendor will endeavor to schedule the final land survey visit at the same time as the geotechnical soil boring visit, so as to lessen timeframes and inconvenience for the homeowner. Two soil borings are required per property and test results shall be submitted to the PE/RA office for review. The PE/RA could deem the soil test is not required if testing results are already supplied for adjacent homes, this will be the decision of the PE/RA who will then notify the Vendor;
- c) Required permits and certificates, to include but not limited to Final Elevation Certificate.;
- d) Disconnecting & deactivation of utilities;
- e) Extending/reconfiguring utilities to be reconnected/reactivated;Elevation of decks/porches/platforms to meet requirements of Elevation Certificate and applicable codes. All MEP systems must be elevated with the structure to conform to requirements of the livable space.
- f) ADA Compliance to include, although not limited to, ramps and lifts where required;
- g) Mechanical, Electrical, Plumbing (“MEP”) drawings for modifications to existing mechanical, electrical, and plumbing systems where required; and
- h) Miscellaneous repairs due to the elevation.
- i) All elevation foundation heights will utilize the greater of the following (BFE+2’, Highest Watermark +2’, or AHJ Requirement).

V. Section 5.5 is revised as follows:

5.5 ADDITIONAL REQUIREMENTS

- a) Vendor shall also complete (IF APPLICABLE):
 - i. Utility disconnection and deactivation
 - ii. Demolition of existing structure
 - iii. Debris removal in accordance with Federal, State and requirements local; including the disposal of potential asbestos containing materials, and
 - iv. Site and foundation preparation

VI. Pricing Attachment A is revised as follows:

Table 1: New pricing only applies to projects that have not been issued a Notice to Proceed (NTP).

Task Description	Estimated Quantity without issued NTP	Average Number of Square Feet per House	Price per Square Foot	Extended Price
Modular Construction & Installation	30	1,300 sq ft	\$ 165	\$6,435,000
Modular with Elevation Construction & Installation	30	1,400 sq ft	\$ 171	\$7,182,000
Amendment #3 Not-to-Exceed Amount applies for projects without an issued NTP				\$13,617,000
Contract Not-to-Exceed Amount				\$45,920,000

(Signature page attached behind)

IN WITNESS WHEREOF, the undersigned, as authorized officials on behalf of the parties have executed this Agreement.

RESCUE CONSTRUCTION SOLUTIONS, INC,
an Incorporated North Carolina Business

By: Shelia Brewington

Name: Shelia Brewington

Title: President

Date: 08/19/2023

NORTH CAROLINA OFFICE OF RECOVERY AND RESILIENCY,
a division of the North Carolina Department of Public Safety

By: Margaret Serapin for

Name: Angie Dunaway

Title: NCORR Chief Procurement Officer

Date: August 22, 2023