



State of South Carolina

RECORD OF NEGOTIATIONS

Solicitation Number : 5400013226
Procurement Officer : Stacy Gregg, CPPO, CPPB
Phone : (803) 737-2609
E-Mail Address : sgregg@mmo.sc.gov
Address : 1201 Main Street; Ste 600
 Columbia, SC 29201

CONTRACT DESCRIPTION: Hurricane Matthew Disaster Recovery Services

USING GOVERNMENTAL UNIT: SC Department of Commerce

OFFEROR'S NAME AND ADDRESS: 1020 Highland Colony Parkway; Suite 400; Ridgeland MS 39157

IMPORTANT NOTICE:

Offeror is required to sign this document and return one copy to the procurement officer named above by the following date: **07/03/2017 @ 10:00 a.m.**

DESCRIPTION OF NEGOTIATED CHANGES:

(attach additional pages if necessary)


Changes as specified on Attachment "A" Negotiated Changes To Proposal

(Attached Pages 2-3 of this document)

OFFEROR'S CERTIFICATE OF CURRENT COST OR PRICING DATA: The Offeror certifies that, to the best of its knowledge and belief, the cost or pricing data (as defined by 48 C.F.R. 2.101) submitted, either actually or by specific identification in writing, by the Offeror to the Procurement Officer in support of the proposed contract are accurate, complete, and current as of the date this record of negotiations is signed. [Procurement Officer must initial here _____ if Certificate inapplicable to this Record of Negotiations]

(See "Pricing Data – Audit – Inspection" provision.) (Reference § 11-35-1830 & R. 19-445.2120)

SIGNATURE OF PERSON AUTHORIZED TO SUBMIT BINDING OFFER TO ENTER A CONTRACT ON BEHALF OF OFFEROR:

By: 
(authorized signature)

Jonathan M. Krebs, CFA, CGFM, CFE

(printed name of person signing above)

Partner

Its: _____
(title of person signing above)

Date: **June 30, 2017**

SIGNATURE OF PERSON AUTHORIZED TO APPROVE NEGOTIATED MODIFICATIONS ON BEHALF OF USING GOVERNMENTAL UNIT:

By: _____
(authorized signature)

Stacy Gregg, CPPO, CPPB

(printed name of person signing above)

Procurement Manager

Its: _____
(title of person signing above)

Date: _____

Record of Negotiations Exhibit A

Solicitation Number 5400013226 – SC Department of Commerce Full Spectrum Disaster Recovery Operations to Implement the State of South Carolina’s CDBG-DR Action Plan for Hurricane Matthew 2016

- 1) In order to provide for an efficient start to Hurricane Matthew housing recovery operations and to accelerate the time between contract start and actual construction, Horne and the State agree to the following start of schedule:
 - a. 11 July 2017 Pre-execution conference with all parties
 - b. 14 July 2017 Complete Marion County Tier 1 in order to start publication/posting requirements
 - c. 18 July 2017 Horne’s will submit its RFP for construction contractors to the State for review
 - d. 25 July 2017 Horne’s will publish its RFP for construction contractors in media that provides the best opportunity to secure capable contractors
 - e. 1 August 2017
 - i. Palmetto Disaster Recovery (PDR) will start data transfer to Horne
 - ii. Contractor training completed
 - iii. Contractor establishes presence in Marion, SC
 - iv. Hurricane Matthew Recovery website operational
 - f. 3 August 2017 Marion County meeting to include county public officials, SCDRO, PDR, and Horne.
 - g. 10 August 2017 Horne begins intake process
 - h. On or about August 10 or 11, 2017 Horne conducts job fair in Marion County
 - i. On or about 20 August 2017 Horne’s construction contractor RFP closes
 - j. 1 September 2017 Marion County environmental Finding of No Significant Impact (FONSI) and Request for Release of Funds (RROF) complete, response deadline met and combined FONSI/RROF document submitted to HUD
 - k. 1 October 2017 All other Tier 1s completed or HUD’s consent to reconsider October 2015 Tier 1s
 - l. 12 October 2017 job fair outside of Marion County
 - m. 31 October 2017 10 home projects completed
 - n. 10 November 2017 intake completed

- 2) If Horne does not R3 (rehabilitate, renovate, or replace) 50 projects by 28 February 2018, then it forfeits 2% of its implementation contractor fee; if Horne does not R3 290 projects by 30 June 2018, then it forfeits 2% of its implementation contractor fee; and, if Horne does not R3 480 projects by 30 September 2018, then it forfeits 2% of its implementation contractor fee.

- 3) The State and Horne agree that the State will only pay for homeowner storage Pods for the following periods:
 - a. For MHU replacement projects – 30 days
 - b. For stick built or MHU rehabilitation projects – 60 days
 - c. For stick built/modular replacement projects – 90 daysPods retained at any project for longer that the above timeframes will be at Horne’s expense.


Horne

- 4) The State and Horne agree that client Out of Home Time will not exceed the following timeframes:
- a. For MHU replacement projects – 37 days
 - b. For stick built or MHU rehabilitation projects – 45 days
 - c. For stick built/modular replacement projects – 97 days

If client Out of Home Time exceeds any of the above time frames, then Horne will pay a \$100 per day penalty until the project passes final inspection and is available for homeowner move-in. The \$100 per day penalty will be subtracted from direct costs for that out of compliance project.

- 5) Horne agrees to add the following reports to its weekly contractor construction briefing:
- a. Percent of projects with a change order in relation to total projects completed
 - b. Percent of dollar value difference between the change order in relation to initial project cost
 - c. Number of projects with homeowner Out of Home Time over 30 days
 - d. Pod rentals over the agreed upon timeframes set forth in Number 3 above.
- 6) Horne agrees that all funds not used for lead based paint assessments will be re-allocated for use as direct construction costs



Initials

Horne

SC