AGENCY INSTRUCTIONS

1. According to Public Works Laws, agencies must bid all work exceeding $35,000 regardless of being under DBA’s oversight.

2. To ensure adherence to all policies, rules, and guidelines, agencies must:
   a. Contact Risk Management Division (RMD) at 501-371-2690 prior to contacting a vendor.
   b. Contact Division of Building Authority (DBA) at 501-682-1833 after speaking with RMD.
      • Whenever DBA is referenced within this document, it refers only to those agencies within its oversight.

3. All State agencies participating in the Arkansas Multi Agency Insurance Trust (AMAIT) property program must notify RMD of the situation and/or emergency.

   Agency Contact: Risk Management Division
   Agency Phone: 501-371-2690
   Agency Fax: 501-371-2842
   Agency Email: insurance.risk.management@arkansas.gov

4. Pursuant to the State of Arkansas Procurement Laws and Rules, R1:19-11-233 (b), an agency must obtain advance approval from the State Procurement Director of OSP, the head of a procurement agency, or a designee of either officer prior to any emergency procurement.
   a. Where time or circumstance does not permit prior approval, approval must be obtained at the earliest practical date.

5. Pursuant to R1:19-11-233 (a), if the situation is not critical, the state agency must, at a minimum, receive three (3) competitive bids.

6. A representative from the agency should use the non-mandatory State’s QVL to contact and provide information needed to deploy the initial and immediate ERS efforts.
   a. This is not applicable to long-term restoration projects.

NOTE: Items 7 and 8 are important items to State agencies within DBA’s oversight.

7. While the restoration companies listed within this document are qualified to provide restoration services, this document does not authorize any vendor(s) to perform repairs to facilities, buildings, roads, parking lots, etc., that exceed $35,000 per Public Works Law A.C.A. § 22-9-203.
   a. Agencies within DBA should make every effort to contact the DBA Construction Section (501-682-1833) whenever a need for an emergency repair arises.
      i. The Construction Section will guide these agencies on the emergency contracting processes for repairs or permanent improvements that exceed $35,000 pursuant to the Public Works laws and DBA rules.
   b. Public Works Law (A.C.A. § §22-9-101) requires licensed engineers for engineering projects (exceeding $25,000) and licensed architects for architectural projects (exceeding $100,000).
i. The DBA Design Review Section (501-682-5544) will guide those agencies within its oversight on the design professional selection process.

c. Clarification to State agencies of the ERS RFQ Item 2.1.A.14. Mold Remediation:

i. This type of remediation is to collect moisture to prevent mold growth; NOT the removal of mold growth. Contact the DBA Construction Section (501-682-1833) for removal of mold growth issues.

ii. Removal of mold growth, which exceeds $35,000, requires the Public Works Laws methods of contracting for all State entities.

d. Clarification to State agencies of the ERS RFQ Item 2.1.A.26. Emergency Repair to Building:

i. Contact DBA whenever emergency repairs exceed $25,000. Repairs $25,000 and under may be performed under this QVL without DBA involvement.

8. ALL OWNER AGENCIES ARE STRONGLY ENCOURAGED TO HAVE ON-CALL DESIGN PROFESSIONALS UNDER CONTRACT AT ALL TIMES IN ORDER TO RAPIDLY ENGAGE EMERGENCY DESIGN/CONSULTANT SERVICES.

a. Agencies within DBA’s oversight should contact the DBA Design Review Section (501-682-5544) for questions/concerns or to begin the process for on-call design/consultant services.

9. Agencies must work with the adjuster and vendor during the initial and immediate projects as well as any follow-on services as required.

10. Agencies should complete a Vendor Performance Report at the end of the restoration project.

11. Agencies must remain in contact with RMD and DBA regarding any important updates.

12. In consideration of any resulting contract agreement provisions and RFQ requirements, the contracting entity agrees to pay the contractor according to a specific payment schedule to be mutually agreed upon by the agency and the contractor prior to contract execution. The schedule should show payment amounts and should reflect actual work done by the payment dates. (RFQ Item 1.23)

13. Xactimate Profit markup must not be more than 10% and Xactimate Overhead markup must not be more than 10%. (RFQ Item 2.6)