

City of Boulder

Mobile Home Wind Damage Repair and Efficiency Upgrade Grant Program

Administered by Climate Initiatives

Regulations and Procedures

City of Boulder
Climate Initiatives
1300 Canyon Blvd.
Boulder, CO 80302
mattreyl@bouldercolorado.gov

December 2022
Last Updated: December 20, 2022

Compliance with Appropriate Laws and Regulations

The City of Boulder operates the Mobile Home Wind Damage Repair and Efficiency Upgrade Grant Program (the “Program”) in strict compliance with the appropriate laws and regulations.

English Proficiency

Applicants who do not have sufficient English language proficiency to represent themselves through the City process will be provided support, including translation, interpretation and/or written materials, to allow their participation in the Program. City staff will work with the Language Access Project Manager and can use the city’s Language Link subscription to facilitate phone or in-person communication with over 300 languages.

Older adults (age 60+) and/or special needs

City policies and operating procedures are designed to ensure that older adults (age 60+ persons) and persons with special needs can successfully participate in the Program. City staff can consult with Older Adult Services case managers to determine how best to overcome any participation challenges.

Nondiscrimination

Consistent with the City’s Human Rights Ordinance, Project Manager shall not discriminate against any individual because of the race, creed, color, sex, sexual orientation, gender identity, gender expression, genetic characteristics, marital status, religion, religious expression, national origin, ancestry, pregnancy, parenthood, custody of a minor child, mental or physical disability, source of income, or immigration status unless otherwise required by law.

Summary

These Program Guidelines provide the policies and standards for the management and operation of this program and use of Utility Occupation and Climate Taxes. The Program is designed to address damage resulting from the Marshall Fire and Straight Line Winds Event (DR4634), a federally declared disaster, which compromised energy performance and integrity of impacted homes, leaving occupants vulnerable to rising energy costs and future climate-related events. This grant recognizes that manufactured home owners in Boulder face a number of challenges to perform repairs on their own. It is the intent of these Guidelines to create a consistent and equitable Program.

Exceptions to these guidelines will require the approval of the Sustainability Senior Manager.

I. Processing and Approval

The application will be reviewed and eligibility will be determined by Project Manager. Applicants must provide a completed application and demonstrate ownership of the mobile home.

Qualified applicants will be sent:

- An introduction letter informing them of their eligibility status and who they will be working with,
- Explanation of funding sources and restrictions.
- A description of what happens next.

Letters will be sent to those whose applications are denied with an explanation of the reason for their rejection.

II. Household Eligibility

To qualify, households must reside in a manufactured home community within Boulder city limits. The program offers one or more grants to address wind damage and upgrade efficiency for mobile home owners who hold title to the home to be assisted.

III. Property Eligibility

- The housing structure must be located within the city limits of Boulder in a manufactured home community. These include Boulder Meadows, Mapleton, Orchard Grove, Ponderosa and Vista Village.
- The Program administrator will determine the suitability of the structure for the repair(s) and any potential hazardous situations.
- Porches, awnings, stairs, sheds and accessory structures that do not advance energy efficiency will not be repaired under this program.
- The properties must be existing fully habitable homes. The programs are not designed to finish building a new house and be suitable for rehabilitation (see V. "Procedures", 6).
- If the repair costs exceed 50% of the home value, the Project Manager may determine that the home does not qualify for the Program.

IV. Funding Awards

All grants will be considered on a first-come first-served basis, based on date of receipt of a complete application and all assistance is subject to funding availability. To obtain a grant, applicants must meet all property and eligibility guidelines in effect at the time of the application and/or execution of the grant agreement. Applicants will be provided written notification of approval or denial. Reason for denial will be provided to the applicant in writing.

Upon notice that the applicant has been approved for grant(s), the applicant signs the appropriate Program documents with the City of Boulder.

To qualify, Applicants must:

- a) Complete a Self-certification Form.
- b) Complete a Grant Application.
- c) Show evidence of owning the property to be rehabbed.
- d) Have property located within the Boulder city limits.
- e) Mobile home must be suitable for rehab.

Determination of health and/or safety issue is at the sole discretion of the City.

V. Program Procedures

The following is a step-by-step summary of the program approach for the Mobile Home Wind Damage Repair and Efficiency Upgrade Program.

Steps:

1. General contractors who meet the city's criteria will be added to a list of Qualified Contractors.
2. Households with wind damage repair needs will apply to the City of Boulder for grant funding assistance.
3. Successful applicants will choose a Contractor from the Qualified Contractor List.
4. The program applicant will contact the Contractor of their choosing and work with the Contractor to schedule a Repair Estimate. (Please note: Households may have previously completed assessments that can simplify the Repair Estimate process).
5. After completing the repair estimate, the Contractor will submit it to Project Manager.
6. Project Manager will determine if the property is suitable or not suitable for rehabilitation.
 - a. Conditions observed that do not comply with the city's [Baseline Inspection Standards for Mobile Homes](#) may be cause for a determination that the home is not suitable for repair under this program.
 - b. Repair and/or Efficiency Upgrade Estimates in excess of 50% of the value of the home may be cause for a determination that the home is not suitable for repair under this program: as determined by
 - i. The County Assessor's value,
 - ii. A standardized valuation approach, or
 - iii. Evidence of sale within five years.
 - c. If the repair triggers additional repairs that do not align with the intent of the funding source and cannot be coordinated with other funding sources.
7. A Grant Award Agreement will be drawn up between the Grant Recipient and the City with the assistance of Project Manager.
8. Project Manager will give the Contractor a Construction Contract that the Grant Recipient and Contractor must sign. The Construction Contract is attached hereto as Appendix A. The Construction Contract states that the Grant Recipient agrees grant

funds will be paid by the Program directly to the Contractor.

9. Project Manager will issue a Notice to Proceed (the fully executed Construction Contract) to both the Contractor and the Grant Recipient.
10. Project Manager will pay the Contractor 50% of the Grant Amount upon execution of the contract between the grant recipient and contractor and its submission to grant Project Manager.
11. The Contractor and Grant Recipient will schedule a time for the work to be completed. The construction agreement allows for no more than 60 days from execution of the contract to complete all repairs.
12. Upon completion of the agreed upon repairs, Project Manager, acting as Inspector, will complete a final walkthrough of the home to confirm that all repairs were completed to the Grant Recipient's satisfaction.
13. Once the work is accepted by Grant Recipient, Project Manager will issue a final check to the Contractor for materials and labor costs not yet paid.

The owner and Project Manager will decide on work to be completed under the grant program based on the following two priorities:

- A. Wind damage repairs
- B. Energy-efficiency improvements

Program Documentation

Project Manager will maintain written documentation of the estimated cost of each project along with all supporting documents.

Contractors will be screened and qualified by Program staff for program eligibility prior to entering into any agreement. All Contractors must comply with city contracting requirements as well as the City Building Codes.

Rehabilitation work under the Program will be undertaken only through a written Construction Contract. The Construction Contract will be between the property owner and the Contractor with the city overseeing the work on behalf of the property owner to ensure compliance with program requirements and city codes. The Construction Contract will be prepared by the City of Boulder after all required Contractor documentation is received and/or verified. The Construction Contract will state when the work must begin, when the work must be completed and will incorporate any drawings, scope of work, change orders, and General Conditions. The Construction Contract must be fully executed prior to beginning the rehabilitation work.

The Project Manager, acting as Inspector, will inspect the Contractor's work after construction (as well as City Building Inspectors, when required). Any request for payment will be approved in writing by Project Manager prior to payment.

Warranty

- Upon completion of the work, the Contractor shall furnish a limited one (1) year warranty on labor and materials.
- The Contractor is to also provide copies of all manufacturers' warranties (i.e. appliance warranties, paint warranty and carpet warranty) to the Grant Recipient so they can access warranty assistance after the Contractor's one-year limited warranty (which covers labor and materials) has expired.
- The Grant Recipient is responsible to notify the Contractor of any warranty claims during the Contractor's one-year limited warranty.
- If the Contractor fails to honor or respond to a warranty claim, the Grant Recipient may contact the City of Boulder for assistance.

VI. Rehabilitation Standards

The City of Boulder and the Contracted Inspector shall cause the rehabilitation of Grant Recipient's property to be performed in accordance with the Scope of Work in the Construction Contract. All rehabilitation to be performed will be approved in writing by the Grant Recipient.

All repair work included within the Scope of Work and specifications will meet the City of Boulder's Building Codes and Manufactured Housing Wind Damage Repair and Efficiency Upgrade Grant Program Regulations and Procedures.

The Project Manager, acting as Inspector, and the City of Boulder will inspect the property during rehabilitation. During the rehabilitation project and to the extent permitted by law, the City of Boulder and the Project Manager, acting as Inspector shall have the right of entry, during reasonable business hours and upon no less than twenty-four (24) hours advance notice, onto the Property to inspect the need for or the actual repairs, and/or warranty work for the term of the City loan.

X Change Orders

Changes to the original Construction Contract will be permitted if unforeseen repairs are required. Any changes to the Contract work must be in writing (Change Order) specifying the work to be done along with a cost estimate and signed by the owner, the Contractor, and the City of Boulder prior to the work. If the changes to the Construction Contract will exceed the maximum allowed under the rehab program prior written approval will be required from the Sustainability Senior Manager. It is the policy of the City of Boulder to budget up to 10% as a contingency under the Program for unforeseen repairs. The contingency and the cost of the rehab work will not exceed the maximum the applicant is eligible for under the program unless prior written approval is received from the Sustainability Senior Manager.

All Change Orders must be documented by the Project Manager to be reasonable prior to approval of the requested Change Order. The documentation of cost reasonableness will be attached to the Change Order and filed with the original Construction Contract. Oral agreements are ineligible costs and will not be reimbursed through the Program.

XI. Relocation

Every effort will be made to avoid the need to temporarily relocate owners or tenants. Owners and tenants will be informed of their eligibility for temporary relocation benefits if occupancy during rehabilitation constitutes a danger to the health and safety of the tenant, the owner or the public as determined by the City Building Official.

XII. Payment Process

The final payment invoice will be submitted by the Contractor to the City of Boulder showing that the work has been completed, required permits pulled, Lien Waiver & Warranty forms submitted, and final inspection passed. The owner and the Inspector will have also approved, in writing, the final payment to the contractor.

Before final payment is made the Contractor will give the Grant Recipient and the City a list of warranty information including the name, address and contact information for the contractors' and subcontractors' responsible for the warranties. All work shall be guaranteed or warranted for a period of a least 1 year.

XIII. Complaints

Complaints concerning the City's Mobile Home Wind Damage Repair and Efficiency Upgrade Grant Program shall be made in writing and addressed to:

Program Manager
Mobile Home Wind Damage Repair and Efficiency Upgrade Grant Program
Climate Initiatives Department,
P.O. Box 791
Boulder, CO 80306

The Program Manager will then contact the complainant and any other parties involved in an attempt to resolve the problem. If not satisfied with the result, the applicant may file a written complaint with the Director of the Climate Initiatives Department.

XIV. Appeals

An Applicant may appeal a decision by the City of Boulder regarding their application or the funding they were awarded from the program. An Applicant must appeal any issues with the eligibility and/or award within 15 days of the determination as set out in the determination letter or from the date of their notification of the appeals process, whichever is later. After 15 days, the status is considered final and can no longer be appealed.

Instructions for Requesting an Appeal

If you choose to formally appeal, you must submit your appeal in writing to the Climate Initiatives Department within 15 days from the date of the determination letter or the date of your notification of the appeals process, whichever is later. The appellant will have an additional 15 calendar days to provide documentation to support the appeal request. A formal appeal related to your application or award can include more than one issue for consideration

or review but must be submitted as one appeal. Only communication that is submitted in writing to the Climate Initiatives Department will be accepted. A determination on the appeal will be made within 30 days after additional documentation is submitted or within 45 days of initial receipt of the Appeal Request.

Appeals Process

1. You will officially submit your appeal in writing to the Senior Sustainability Manager, Climate Initiatives Department.
2. The appeal will be logged on date of receipt.
3. Your appeal request will be received by Sustainability Senior Manager .
4. The Program will then review your file and fill out a check sheet for items reviewed.
5. During the review, the applicant may or may not be contacted for further information.
6. The Applicant will be notified in writing by the Program Manager.
7. A determination on the appeal will be made within 30 days after additional documentation is submitted or within 45 days of initial receipt of the Appeal Request.
8. If the applicant disagrees with the decision by the Program Manager, the applicant may submit in writing the request for the appeal to the Sustainability Senior Manager. A determination on the appeal will be made by the Sustainability Senior Manager within 10 business days.

XV. Additional Information

Grants

Multiple grants may be given to the same homeowner to address different repair and efficiency needs

Appendix A: Construction Agreement for the Contractor and Homeowner