

**Return to Tracy Taylor:**Via e-mail: ttaylor@oshkoshwi.govVia mail: Department of Public Works
PO Box 1130
Oshkosh, WI 54903-1130In person: Room 301, City Hall
215 Church Avenue**2024 – 2025 FINANCIAL ASSISTANCE APPLICATION FOR
PRIVATE-SIDE LEAD SERVICE LINE REPLACEMENT***Application, including waiver form, must be submitted in full to be considered.***APPROVAL OF THE PROPERTY IS REQUIRED PRIOR TO COMMENCING WORK**

Approval for the Lead Water Service Replacement Project is required to confirm eligibility for financial assistance prior to commencing work. Properties must be approved prior to the replacement work being started to ensure that Federal requirements for the Endangered Species, Archeological/Historical, and Waterway/Wetland Reviews have been completed. Some properties may not be eligible for reimbursement due to these reviews or may require additional time to get through the process due to location and property history. The City of Oshkosh (City) will provide a written response to the approval application. Please note any conditions included in the response and share them with your contractor.

Verification of the property's water service line materials is required prior to approval. If you have not had your water service line inspection completed yet, please call (920) 232-5336 to schedule or use this QR code:



Lead Service line replacement should be coordinated so the public-side and private-side are completed within 90 days of each other and must be done with 180 days of either side becoming lead free. Failure to meet the 180-day requirement will result in the property not being eligible for financial assistance. The 180-day requirement does not apply to partial replacements completed prior to August 8, 2024.

HOUSEHOLD INFORMATION

Property Owner's Name(s): _____
(If business or corporation also provide name and title of individual who can sign legal documents.)

Property Address: _____

Mailing Address: _____
(if different than above)

Home Phone: _____ Cell Phone: _____

E-mail Address: _____

The City will use this e-mail address to communicate important information about the program. Please check this box if **you do not wish to receive information via e-mail**: ☐

List the dates of birth for all children living or routinely spending significant time at this address or property:

Are any members of the household currently pregnant? (Check one) Yes ____ No ____

Has the Private-Side Lead Service Line Replacement been completed?

☐

NO

☐

YES, Date Completed _____

Is the Private-Side Lead Service Line Replacement due to a leak?

☐

YES

☐

NO, Reason for Replacement _____

I attest the above information is correct and consent to the review of my property for the purpose of determining eligibility requirements of the Lead Service Line Replacement Program.

Property Owner's Signature: _____

Date: _____

A signed Lead Service Line Replacement Financial Assistance Program Waiver/Release of Liability (attached) must be returned with this document. Please call (920) 236-5258 if you need assistance determining the Parcel Number of your property.

DAVIS-BACON WAGE RATE REQUIREMENTS

Funding for private-side lead water service line replacement is being provided by the U.S. Environmental Protection Agency. Therefore, the Federal Davis-Bacon wage rate requirements **will** apply in the following circumstance:

- The property is owned by an individual or individuals or is in the name of a business.
- The work will be performed using a plumbing/utility contracting firm that has employees (who are not 20% owners of this firm); and an owner of that plumbing/utility contracting firm did not perform one hundred percent (100%) of the work.

Davis-Bacon wage rate requirements **will not** apply in the following circumstances:

- An employee who is at least a twenty percent (20%) owner of the plumbing/utility contracting firm completing the work completes one hundred percent (100%) of the work.
- The total cost of the LSL replacement is less than \$2,000.

The City will assist in determining whether or not the Davis-Bacon wage rate requirements apply.

The plumber/utility contractor must obtain a copy of the Davis-Bacon wage rate determination that is in effect when they sign the contract for the work that requires compliance with the Davis-Bacon wage rates, which must be submitted to the City with the reimbursement application form. The plumber/utility contractor should contact the City to receive the current Davis-Bacon wage rate determination.

The plumber/utility contractor must also provide a certified payroll to the City on the U.S. Department of Labor's Payroll form with the reimbursement application form.



**2024 – 2025 LEAD SERVICE LINE REPLACEMENT FINANCIAL ASSISTANCE PROGRAM
WAIVER/RELEASE OF LIABILITY**

NOTE: THIS IS A LEGAL DOCUMENT

1. The City of Oshkosh (City) has created a program to help City residents pay for some of the costs needed to replace their water service pipes that contain lead. The program is made possible through funding received from the Wisconsin Department of Natural Resources.

2. I own property within the Oshkosh City limits. The description of my property is as follows:

Address: _____

Parcel No.: _____

3. I understand that participating in this lead water service line replacement financial assistance program is voluntary. The pipe that I hope to receive financial assistance for is my private pipe on my own property and within the adjacent public right-of-way to the curb stop. I will need to hire a contractor to replace my lead water service pipe. I am responsible for whatever work is done.

4. The City has created a list of pre-qualified contractors. These contractors have stated they are willing to replace lead water service pipes and will abide by the program requirements. I understand the City has created this list as a convenience for homeowners like me. The City has verified the contractors on this list have met the qualifications of being licensed utility contractors and/or plumbers, and these contractors have agreed to follow all program requirements.

The City does not warranty, guaranty, or state that individual contractors on the list will be qualified to do the work on my property, or that I will get along with the contractor, or that I will agree with their contract or how they go about completing the work. I understand that things can go wrong on any construction job. Therefore, it is my responsibility to investigate the contractors on the City's list and find the one that I think will be the best for me, in terms of price, contract terms, and the actual work they will do. I understand that I will be the one responsible for hiring a contractor. My agreement is with the Contractor, and is not an agreement with the City. The City does not have an agreement for this Program with the Contractor.

5. The City's main involvement in this project on my property is to financially assist me for some of the work that I hire a contractor to do on my property as long as I meet the program qualifications.

6. **Release of Liability.** I hereby release the City of Oshkosh, its officers, employees, agents, representatives, and insurers, including all of the assignees and successors in interest from all claims based upon the actions and/or inactions of the City of Oshkosh, its officers, employees, agents, and/or representatives, related to or occurring in connection with my participation in the Lead Service Line Replacement Financial Assistance Program. The claims released in this paragraph include those which may be based upon State or Federal statutes and/or administrative codes, common law, and Municipal and/or County Ordinances. The potential injuries and claims resulting from the identified type of events includes, but is not limited to, monetary losses, as well as physical and psychological injuries of all levels of seriousness.

I understand that by signing this Release that I am not releasing the one (1) or more contractors that I hire to perform the lead water service pipe replacement; nor Third persons, including plumbers/utility contractors, based upon their negligent, reckless, willful, and malicious actions; and that those third parties and their actions are not part of this agreement and are not released. Third persons are meant to include all persons other than the City of Oshkosh, its officers, employees, agents, and/or representatives.

I understand that in order for the City to make sure this program works for everyone, it has to be clear that I am entering into agreements with contractors based on my own choice, and not based on any choice or direction the City has made for me.

I understand that if I didn't agree to the terms of this Waiver/Release, the City may be unable to offer financial assistance through the lead service line replacement financial assistance program or that the opportunities for me to participate in this program may be limited.

I hereby waive the right to make a claim as noted above and waive my rights to negotiate or bargain for different terms of this waiver and release of claims which may lead to more potential liability on the part of the City of Oshkosh, its officers, employees, agents, and/or representatives and may limit my participation or increase my costs under this program.

I understand that, in order for me to participate in the lead service line replacement financial assistance program, an agreement for waiver/release in some form is required. For reasons that have value to me, I have chosen to accept the terms as identified within this document.

Property Owner:

Signature

Printed Name

If applicable, name of business or corporation and title of person signing. Individual must have the authority to sign legal documents for the above business/corporation.

Date