



Water Utility
2026 Request for Qualifications (RFQ)
Licensed Plumbers/Utility Contractors Interested in Participating
in the Private-Side Lead Service Line Replacement Program

This RFQ is valid for the 2026 calendar year's Financial Assistance for Private-Side Lead Service Line Replacement program for 50% assistance to property owners and 100% assistance to eligible properties within the eligible Census Tracts.

Program Background

The City of Oshkosh Water Utility (City) is seeking qualifications from licensed plumbers/utility contractors who are interested in performing private-side lead service line replacement (LSLR) work. The Wisconsin Department of Natural Resources (WDNR) has made funds available through the Safe Drinking Water Loan Program and the Bipartisan Infrastructure Law (SDWLP/BIL) to municipalities to help offset the cost of replacing the privately-owned portions of lead water service lines. Only licensed plumbers/utility contractors providing appropriate responses to this RFQ will be placed on a list of Pre-Qualified Contractors to perform the LSLR work. The City encourages Disadvantaged Business Enterprises (DBE's), including Minority Business Enterprises (MBE's) and Women's Business Enterprises (WBE's), to pre-qualify for the purpose of being included in the Project.

Property Approval Required Prior To the Start of Work

Properties must be approved prior to work commencing on the private-side LSLR. This will ensure that Federal requirements for the Endangered Species, Archeological/Historical, and Waterway/Wetland Reviews are completed as part of this process. Many of the LSLRs will be completed in conjunction with the City's Capital Improvement Program (CIP). For properties within the City's CIP, the City is working with the WDNR to have the required reviews done prior to construction to expedite the approval process.

Property owners will be sent letters from the City with the WDNR conditions of approval notifying them of their eligibility to participate in the LSLR Financial Assistance Program. Contractors will know whether the property has been approved by the City when the property owner produces the approval letter from the City, along with any conditions of approval. The City will also provide a weekly update of approved addresses to pre-qualified contractors via e-mail.

If the property is eligible for financial assistance, owners of properties shall contract directly with a licensed plumber/utility contractor on the list of Pre-Qualified Contractors. Once the work is completed, eligible costs up to \$5,400 for pipe replacement and \$1,300 for hard surface restoration will be directly paid by the City to the Contractor. Property owners, except those in an eligible Census Tract, will enter into a loan agreement with the City or provide payment to the City to repay half of the cost, prior to the City paying the Contractor. Prior to the City contacting the property owner, all work and inspections must be complete and approved. In the event hard surface restoration cannot be completed due to City-imposed right-of-way restoration restrictions, the City will pay the Contractor for the eligible pipe replacement cost upon request and approved final inspection of work. Upon completion of the hard surface restoration and inspection and second contractor payment request, the City will contact the property owner to complete the closing. **Failure to have approved final inspections will result in the City not paying the contractor!**

Contractor, by seeking approval to be on the pre-qualified list, shall be responsible for ensuring all work required is included in their proposal to property owner. Contractor shall not require property owner to coordinate or hire another contractor to complete any of the necessary work.

Please note the City will only issue one (1) right-of-way permit per address for the work.

Public- and private-side LSLR should be completed within 90 days of either side becoming lead free and must be done within 180 days of either side becoming lead free. **Failure to complete the LSLR within 180 days may result in the property not being eligible for financial assistance.** Partial replacements completed prior to August 8, 2024 do not have the 180-day requirement.

Coordination and cooperation between the City's Project contractor and the LSLR Contractors will be critical.

If the LSLR will be performed after the completion of the City's CIP contracts, the City will make every effort to extend the newly-constructed water services approximately five feet (5') beyond the right-of way and reconnect to the existing private-side lead water service at that point. As part of the City construction projects, concrete driveway approaches and portions of the concrete walk may be replaced. The terrace areas and any disturbed lawn area behind the sidewalk will be re-graded, fertilized, seeded, and mulched.

Engineering Division staff will complete a post-construction walk-through of the newly-constructed streets and will note any defects relating to the work performed by the City's contractor. These defects will be given to the general contractor in the form of a punch list for them to correct.

Where water services were extended beyond the right-of-way, the City does not anticipate any damage to occur to the newly-constructed sidewalk or driveway approaches when the LSLR Contractor performs the private-side LSLR. At locations where the water service could not be

extended beyond the right-of-way, the LSLR Contractor may need to take greater care not to damage the completed City work. Any damage to the newly-constructed utilities, street, sidewalk, driveway approaches, or restoration are the responsibility of the LSLR Contractor to repair at no cost to the City.

Due to the nature of construction activities that will need to take place while completing the private-side LSLR, we do anticipate the LSLR Contractor may disturb small portions of the newly-seeded areas where the connection to the new water service is located. These areas must be restored to a condition similar to that existing prior to starting the work. This may require the LSLR Contractor to re-grade the disturbed areas and re-seed, fertilize, and mulch. They may even need to remove and replace sections of concrete or asphalt pavement. The cost for these activities should be incorporated into the bid price of the private-side LSLR.

Program Funding Requirements

Based on SDWLP/BIL LSLR project requirements, the City may pay for eligible costs when a property owner contracts directly with a Pre-Qualified LSLR Contractor. To comply with the SDWLP/BIL, the City requires the Pre-Qualified LSLR Contractors perform the work in accordance with the following:

1. **Properties must be approved to ensure eligibility for the financial assistance due to Federal funding requirements of the program. Work performed prior to approval may not be eligible for financial assistance. Some properties may not qualify for financial assistance, the review process may take additional time, and/or some properties may have additional conditions placed upon the property.**
2. Work to be performed by a licensed plumber under **Section SPS 305.90**, Wis. Adm. Code, or utility contractor under **Section SPS 305.91**, Wis. Adm. Code.
3. Work to be performed in accordance with the plumbing code requirements found in **Sections SPS 381 – 387**, Wis. Adm. Code.
4. All work for electrical grounding shall conform to **NEC Section 250**, Wis. Adm. Code **Section SPS 316.250**, and any other applicable codes. **LSLR Contractor shall coordinate with a licensed electrician to verify electrical service is grounded per NEC code prior to replacing lead water service line.** An electrical permit is required if grounding of electrical service needs to be done. **This work will need to be completed before payment for the LSLR will be made.**
5. **Contractor shall not require property owner to hire any other contractor to complete any of the necessary work.**
6. Work to be performed in accordance with all applicable OSHA requirements/standards.
7. Adequate financial records shall be established and maintained in accordance with the **Municipal SDWLP Financial Assistance Agreement**. Adequate financial records shall include property address; water service line replacement location, material, size, and length; and material and labor costs.
8. Once the work is completed, the LSLR Contractor shall make arrangements for a final inspection with the City's Inspection Services Division and Department of Public Works, if work was performed in the right-of-way.

9. The City is required to certify that the LSLR Contractors performing LSLR work will comply with the **Use of American Iron and Steel Provisions** of P.L. 114-113 Consolidated Appropriations Act, 2016.
 - This requirement means that, if the current private-side lead water service is replaced with a galvanized iron water service, additional information will be required from the LSLR Contractor to document the source of the galvanized iron in order to maintain the property owner's eligibility for financial assistance. **The City highly recommends that the lead water services are not replaced with a galvanized iron water service.**
10. The City is required to certify that the LSLR contractors performing LSLR work will comply with the **Build America, Buy America (BABA)** requirements of **Title IX of the Infrastructure Investment and Jobs Act, Public Law No. 117-58 § 70901-52**. Attached to this RFQ is a memorandum from the EPA with the subject "Build America, Buy America Act Implementation Procedures for EPA Office of Water Federal Financial Assistance Programs". This document provides direction to contractors to meet BABA requirements, including examples of classification of various materials. The City highly recommends you work with your suppliers to obtain BABA compliance certifications.

All BABA-covered items must be tracked by the Contractor. Below is a summary of BABA-covered items. Up to five percent (5%) of the total Project cost is allowed to be non-BABA compliant. The City will provide a Microsoft Excel spreadsheet to all LSLR contractors to use to track the BABA and de minimis amounts.

BABA-covered items include Iron and Steel, Manufactured Products, and Construction Materials, unless excluded. Items should only be classified into one (1) of the three (3) categories. BABA applies to items consumed in, incorporated into, or affixed to a LSLR replacement (aka permanently incorporated). It does not apply to items brought to and removed from the construction site prior to completing the LSLR. Following is a summary of BABA compliance guidance for each category:

- **Iron and Steel**
 - i. Items that are predominantly iron or steel, unless another standard applies under law or regulation.
 - ii. To comply, all manufacturing processes, from the initial melting stage through the application of coatings, must occur in the United States.
- **Manufactured Products**
 - i. Manufactured in the United States.
 - ii. To comply, cost of components that are mined, produced, or manufactured in the United States must be greater than fifty-five percent (55%) of the total cost of all components of the manufactured product.
- **Construction Materials**
 - i. Includes:
 1. Non-ferrous metals.
 2. Plastic and polymer-based products.
 3. Glass.
 4. Lumber.

5. Drywall.
- ii. Excludes:
 1. Items made primarily of Iron or Steel (must comply with above guidance).
 2. Manufactured Products (must comply with above guidance).
 3. Cement and cementitious materials.
 4. Aggregates such as stone, sand, or gravel.
 5. Aggregate binding agents/additives.
- iii. To comply, all manufacturing processes must occur in the United States.

11. Both the private side and public side of the water service will need to be lead-free prior to the City paying the LSLR Contractor.

Davis-Bacon Wage Rate Requirements

Funding for private-side lead water service line replacement is being provided by the SDWLP/BIL. Therefore, in most cases, Federal Davis-Bacon wage rate requirements will apply to the LSLR Contractor and all subcontractor(s) performing this work.

The Federal Davis-Bacon wage rate requirements **will** apply under the following conditions:

- The property is owned by an individual or individuals or is in the name of a business.
- The work will be performed using a LSLR Contractor and/or subcontractor(s) that have employees (who are not at least twenty percent (20%) owners of those firms); and an owner of that LSLR Contractor and/or subcontractor(s) 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 LSLR Contractor and/or subcontractor(s) completing the work completes one hundred percent (100%) of the work.
- The total cost of the LSL replacement is less than two thousand dollars (\$2,000).

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

The LSLR contractor and subcontractor(s) 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. **The Davis-Bacon wage rates can be located at the following website:**

<https://sam.gov/content/wage-determinations>

Under "I do not know the number", select "Public Building or Works" on the first screen and the construction type to be selected on the second screen is "Residential".

The LSLR Contractor and subcontractor(s) must also provide a certified payroll to the City with the financial assistance application form. Please contact the City to get the required certified payroll form.

Limited financial assistance may be available for those who qualify through HUD as very low income. This program will be through the City's Department of Community Development and will utilize Community Development Block Grant (CDBG) funds. This financial assistance must be applied for through the City's Department of Community Development. The property owner must use a current Pre-Qualified LSLR Contractor and follow all CDBG rules.



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Minimum RFQ Information Requirements

Licensed plumbers/utility contractors interested in performing LSLR work funded by SDWLP/BIL should submit a response to this RFQ by including, at a minimum, the following information:

Name of plumbing/contracting business

Name of plumbing/contractor business owner or registered agent

Address	City	State	Zip
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Phone	Fax	email
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Plumbing/contractor license number

Number of years licensed	Number of years in business
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Briefly describe your plumbing/contractor organization, size, and structure:

In order to assist with determining whether the Federal Davis-Bacon wage requirements apply, please list the number of employees in your firm, **including owners**:

How many of these employees are owners **of at least 20%** of your firm?

Provide the number of years your firm has been engaged in performing LSLR work:

How many new water service line installations and water service line replacements has your plumbing/utility contracting business performed in the last three (3) years?

New _____ Replacements _____

Is your Company a certified DBE, WBE, or MBE company? Yes No

Other qualifying information that would be helpful for this Program:

Approval of each individual property by the WDNR and the City for LSLR work is required to ensure eligibility for program financial assistance prior to commencement of LSLR work. All property owners will receive an approval package from the City.

Signature of Officer/Owner of the business:

Return completed RFQ via mail or email to:

Tracy Taylor
Department of Public Works
City of Oshkosh
PO Box 1130
Oshkosh, WI 54903-1130
E-Mail: dpw@oshkoshwi.gov

APPROVED BY:

Director of Public Works Date _____