



**Water Utility
2024 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 2024 calendar year Financial Assistance for Private-Side Lead Service Line Replacement program.

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 for financial assistance eligibility prior to work commencing on the private-side LSLR to ensure that Federal requirements for Endangered Species Review, Archeological/Historical Review, and Waterway/Wetland Review have been completed. Some properties may not be eligible for financial assistance due to the fact that these reviews may require additional time to get through the process due to their location or property history and/or may have additional conditions placed upon them.

If the property is eligible for financial assistance, owners of properties will be able to 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 will be directly paid by the City to the Contactor. The property owner must enter into a loan agreement with the City to repay half of the cost.

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.

Please note: New this year, public- and private-side LSLR must be completed within ninety (90) days of either side becoming lead free. Failure to complete the LSLR within ninety (90) days will result in the property not being eligible for financial assistance.

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

Partial replacements completed **prior to October 25, 2023** do not have the 90-day requirement. **Property owners wishing to do LSLR in these instances still need to be approved for financial assistance eligibility and must have received confirmation of approval from the City, prior to conducting the LSLR. The approval packet may contain additional conditions that must be followed to ensure eligibility. Failure to receive the approval packet from the City prior to starting LSLR may result in the City not providing financial assistance.**

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, or driveway approaches 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. Work to be performed in accordance with all applicable OSHA requirements/standards.
6. 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.
7. Once the work is completed, the LSLR Contractor shall make arrangements for a final inspection with the City's Inspection Services Division.
8. 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.**
9. The entire 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 some 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 in the following circumstance:

- The property is owned by a business entity (trust, LLC, etc.); will be using a LSLR Contractor and subcontractor(s) that has employees (who are not owners of those firms); and an owner of that LSLR Contractor and subcontractor(s) did not perform one hundred percent (100%) of the work.

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

- The property is owned by an individual or individuals.
- The property is owned by a business entity (trust, LLC, etc.) and an owner of the LSLR Contractor and 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 property ownership and 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, which must be submitted to the City with the financial assistance application form. 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 DBA 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.

Summary of Significant Changes From Past Years

- **To be eligible for financial assistance both the public-side and private-side must be lead free and completed within ninety (90) days of each other. Partial replacements completed prior to October 25, 2023 are exempt from the 90-day requirement.**
- **All approved properties will get approval packet from City!**
- **The program no longer will reimburse property owners. City will pay LSLR Contractor directly, up to \$5,400, provided all conditions are met. Costs above this must be paid by the property owner to the LSLR Contractor. The new program requires the property owner to enter into a loan agreement with the City. Property owners will be provided a copy of the loan document at the time they are approved.**
- **LSLR Contractors will submit payment application (property owner must also sign) along with property owners’ signed and notarized original signature loan document.**

- The loan document must be the one the City sent for the specific property. The loan document contains the parcel number and legal description of the lot and will be recorded at the Winnebago County Register of Deeds. If the LSLR Contractor submits the wrong loan document, they will not be paid! **Property owner must write in dollar amount of loan on the loan document and initial.** The dollar amount written on the loan document must equal half of the LSLR replacement cost up to \$2,700.
- Invoices are still required. See Item 6 above for the required items to be included on the invoice. Only LSLR-related expenses can be included on the invoice. Including non-LSLR related expenses on the invoice will, at a minimum, delay payment and will likely require paperwork to be redone. Worst case scenario may be denial of payment by City.
- Limited financial assistance is available for those who qualify through HUD as low to moderate 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

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:

How many of these employees are owners 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 business performed in the last three (3) years?

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: ttaylor@oshkoshwi.gov

APPROVED BY:

Date _____

Director of Public Works