



**Water Utility
2022 Request for Qualifications (RFQ)
Licensed Plumbers/Utility Contractors Interested in Participating
in the Lead Service Line Replacement Project**

This RFQ is valid for the 2022 calendar year.

It is anticipated all work and final submittals to the City for reimbursement will be needed by the middle of November 2022.

Project Background

The City of Oshkosh Water Utility (City) is seeking qualifications from licensed plumbers/utility contractors who are interested in performing lead service line replacement (LSLR) work. The Wisconsin Department of Natural Resources (WDNR) has made funds available through the Private Lead Service Line Replacement Program within the Safe Drinking Water Loan Program (SDWLP) to municipalities to help offset the cost of replacing the privately-owned portions of lead water service lines serving single-family homes, multi-family residences, K-12 schools, and licensed day care centers. Only licensed plumbers/utility contractors providing appropriate responses to this RFQ will be placed on a certified plumbers list 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 Pre-Approval Required

Properties must be pre-approved for reimbursement eligibility prior to work commencing 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 reimbursement due to these reviews or may require additional time to get through the process due to location or property history.

If the pre-approved property is eligible for reimbursement, owners of properties will be able to contract directly with a licensed plumber/utility contractor on the certified plumbers' list and once the work is completed, eligible costs are reimbursed through the LSLR program.

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. We are encouraging property owners to complete the private-side LSLR work prior to the start of construction to minimize damage

to newly-constructed sidewalks and seeding of lawns and terrace areas. **Property owners and/or Contractors wishing to do work in these areas still need to be pre-approved for reimbursement eligibility and have received confirmation of this from the City, prior to conducting the LSLR, to ensure the property is eligible for the reimbursement program.**

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 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 plumber/utility contractor performs the private-side LSLR. At locations where the water service could not be extended beyond the right-of-way, the plumber/utility 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 plumber/utility 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 plumber/utility 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 your work. This may require the plumber/utility contractor to re-grade the disturbed areas and reseed, fertilize, and mulch. You 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.

Project Funding Requirements

Based on SDWLP LSLR project requirements, the City may reimburse property owners for eligible costs when a property owner contracts directly with a pre-qualified licensed plumber/utility contractor. To comply with the SDWLP, the City requires the pre-qualified plumbers/utility contractors perform the work in accordance with the following:

1. **Properties must be pre-approved to ensure eligibility for the reimbursement program due to federal funding requirements of the program. Work performed prior to approval may not be eligible for reimbursement. Some properties may not qualify for reimbursement or the review process may take additional time.**
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. **Plumber/utility 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 the lead water service line is replaced;**
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 licensed plumber shall make arrangements for a final inspection with the City's Inspection Services Division.
8. The City is required to certify that the licensed plumbers/utility 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 lateral is replaced with a galvanized iron lateral, additional information will be required from the plumbing/utility contracting firm to document the source of the galvanized iron in order to maintain the property owner's eligibility for reimbursement. **The City highly recommends that the lead laterals are not replaced with a galvanized iron lateral.**

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, in some cases, the Federal Davis-Bacon wage rate requirements will apply to the plumbing/utility contracting firm 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 plumbing/utility contracting firm that has employees (who are not 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:

- 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 plumber or utility contractor 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 property ownership and 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 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 plumber/utility contractor must also provide a certified payroll to the City, submitted on the enclosed form, with the reimbursement application form.



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Minimum RFQ Information Requirements

Licensed plumbers/utility contractors interested in performing LSLR work funded by SDWLP 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:

How many of these employees are owners of your firm:

Provide the number of years your firm has been engaged in performing licensed plumber/utility contractor 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 Project:

Pre-approval of each individual property by the WDNR and the City for LSLR work is required to ensure eligibility for program reimbursement prior to commencement of LSLR work.

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@ci.oshkosh.wi.us

APPROVED BY:

_____ Date _____

Director of Public Works

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)



Rev. Dec. 2008

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

OMB No.: 1235-0008
Expires: 02/28/2018

NAME OF CONTRACTOR		OR SUBCONTRACTOR				ADDRESS						OMB No.: 1235-0008 Expires: 02/28/2018								
PAYROLL NO.		FOR WEEK ENDING				PROJECT AND LOCATION						PROJECT OR CONTRACT NO.								
(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
				HOURS WORKED EACH DAY										FICA	WITH- HOLDING TAX	OTHER	TOTAL DEDUCTIONS			
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

Date _____

I, _____
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

_____ on the
(Contractor or Subcontractor)

_____ ; that during the payroll period commencing on the
(Building or Work)

_____ day of _____, _____, and ending the _____ day of _____, _____,
all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

_____ from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

— in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

— Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE	SIGNATURE
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THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.