



## City of Marceline

# Request For Sealed Proposals

## Lead Service Line Inventory

The City of Marceline is requesting sealed proposals for services to complete in-field identification for a Lead Service Line Inventory. The scope of required services is described below. The completed lead service line inventory spreadsheet should adhere to 40 CFR 141.84. Funding for the project is through the Missouri Department of Natural Resources' Financial Assistance Center and local sources. The contract is limited to available grant funds and some service lines may not be identified due to funding limitations. The City of Marceline has an estimated 1,800 service lines that must be identified on both the city and customer side. Bidders must provide a price on the below proposal for each service requested via the Bid form under Exhibit B. Proposals that fail to provide a price for all services will not be considered.

- 1) This project is being financed through the Missouri State Revolving Fund, by the Water and Wastewater Loan Revolving Fund and federal Capitalization Grants to Missouri.
- 2) Bidders on this work will be required to comply with the President's Executive Order Number 11246.
- 3) The City of Marceline is an Equal Opportunity Employer and invites the submission of proposals from Women and Minority Business Enterprises.

Bidders should be aware that they will be expected to complete forms required by the state funding agency(ies). Additionally, there will be language requirements and forms from the state funding agency(ies). That will need to be incorporated into the final contract that is signed by the City of Marceline and selected bidder.

### **Scope of Services**

1. In-Field Verification: Service line material is required to be identified on both the customer and city side. If possible, identification of the service line material entering the structure is desired in addition to the materials identified on the city and customer side. Additionally, 10% random sample is required for all service lines already identified as non-lead based on 1989 "Lead Ban Ordinance" or "Missouri Lead Ban". A 95% accuracy is required on structures identified as non-lead build between 1989 and 2014.
  - a. In-field verification services may include:
    1. Potholing or excavating (mechanical, vacuum, or hydro) service lines to determine the material present on both the customer side and utility side within three to five feet of the meter on each side. Contractor shall return areas to original condition.

2. Visual inspection of service lines including inside a home or building.
2. Supplying data collected from the in-field verification to Bartlett and West and the City in a pre-determined format to be used to complete the Missouri Department of Natural Resources Lead Service line Inventory Spreadsheet. The data/information to be collected is for the Account IDs and Water Service addresses will be supplied in the Excel spreadsheet. A Survey QR code will be provided to the selected contractor to provide the information electronically. The information to be supplied is listed as Exhibit A.

**Required Forms (not limited to):**

- Certificate Regarding Debarment and Suspension From
- Business Entity Certification / E-Verify MOU
- Affidavit of Work Authorization
- Certification Regarding Lobbying
- Certification of Nonsegregated Facilities
- Disclosure of Lobbying Activities (if applicable)
- Domestic Product Certification (if applicable)

Bidders are informed that pursuant to Section 285.530 RSMo as a condition of the award of any contract in excess of five thousand dollars (\$5000), the successful bidder shall, by sworn affidavit and provision of documentation, affirm its enrollment and documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection to the contracted services. Successful bidders shall also sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

Bidders are informed that the project is subject to the requirements of Section 292.675 RSMo, which requires all contractors or subcontractors doing work on the project to provide, and require its on-site employees to complete, a ten (10) hour course in construction safety and health approved by the Occupational Safety and Health Administration (OSHA) or a similar program approved by the Missouri Department of Labor and Industrial Relations that is at least as stringent as an approved OSHA program. If on-site employees have not previously completed such training, the training must be completed within sixty (60) days of the date, work on the project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.

**Insurance:**

To the fullest extent permitted by law, Selected Contractor agrees to indemnify, defend and hold harmless the City, its officers, agents, volunteers, lessees, invitees and employees from and against all suits, claims, damages, losses, and expenses, including but not limited to attorneys' fees, court costs, or alternative dispute resolution costs arising out of or related to any such suit, claim, damage, loss or expense involving an injury to a person or persons, whether bodily injury or other personal injury (including death), or involving an injury or damage to property (including loss of use or diminution in value), but only to the extent that such suits, claims, damages, losses or expenses arising from or alleged to have arisen from your (contractor) work or the work of any supplier or subcontractor, or their agents or employees, directly or indirectly, regardless of whether caused in part by the negligence or wrongdoing of City or any of its agents or employees.

Selected Contractor shall purchase and maintain the following insurance, at Contractor's expense:

- Commercial General Liability Insurance with a minimum limit of \$1,000,000 for each accident or occurrence and \$2,000,000 for any single accident or occurrence, written on an occurrence basis.
- Comprehensive Business Automobile Liability Insurance for all owned, non-owned and hired automobiles and other vehicles used by Contractor with limits of \$1,000,000 for each accident or occurrence /\$2,000,000 for any single accident or occurrence,
- Workers Compensation insurance with statutory limits required by any applicable Federal or state law and Employers Liability insurance with minimum limit of \$1,000,000 per accident.

Prior to commencing work, selected Contractor shall provide City certificates of insurance evidencing the required coverages.

The selected Contractor shall make City an additional insured on each policy of insurance that selected Contractor is required to maintain under the contract documents. Similarly, Selected Contractor shall require insurance with the same coverage and limits from its subcontractors and suppliers, and their insurance policies shall be endorsed to name the same additional insureds as required of Selected Contractor. The Selected Contractor's insurance is primary and noncontributory to any City Insurance.

Each additional insured endorsement shall expressly afford coverage to the additional insureds not only arising out of the named insured's operations or work but also arising out of the named insured's completed operations.

**Proposal Submission:**

Proposals will be accepted until 3:00 pm CST, **Tuesday, July 09, 2024**

Sealed Proposals must be marked "LSLI-Field Verification", and may be mailed/left at, The City of Marceline, 116 N Main Street USA, Marceline MO, 64658 For additional information or questions contact Mikeal Thompson at [mikeal.thompson@marcelinemo.us](mailto:mikeal.thompson@marcelinemo.us) or 660-376-0700.

**Selection Process:**

Once the City Of Marceline evaluates all proposals they will select the preferred contractor and execute a contract for the listed services at the quoted price.

The City reserves the right to accept and or reject any or all bids submitted and to request additional information from any and or all bidders. Furthermore, the bid selected will be from the bidder which, in the opinion of the Council, submits the bid that best meets the needs of the city. The City in selecting the successful bidder may consider all basis set forth in its bidding procedures in addition to other available information.

M/WBE businesses are encouraged to apply. The City of Marceline is an Equal Opportunity Employer.

Bidders who wish to protest the award of the contract must follow the procedures for bid and proposal protests as outlined in Exhibit C.

## EXHIBIT A – POTHOLE CHECKLIST

### Layers/Data Needed:

1. Water Meter Service Address
2. Water Meter Service Account ID Number (required to link to ESRI solution)
3. City side of meter service line material
4. City side of meter service line pipe outside diameter
5. Comments/Notes on City side of meter service line
6. Customer side of meter service line material
7. Customer side of meter service line pipe outside diameter
8. Comments/Notes on customer side of meter service line
9. Customer side of meter service line material entering structure, if possible (in-structure inspection required)
10. Photo of meter service line on customer side at meter pit
11. Photo of meter service line on City side at meter pit
12. Photo of meter service line inside existing structure

### Questions specific to Customer's meter pit:

1. Lead solder evident? (Y/N)
2. Lead Connector/Coupling Present? (Y/N)
3. Miscellaneous Fittings Containing Lead? (Y/N)
4. Copper Pipe Present with Lead Solder? (Y/N)

### Photos Required from City/Contractor:

1. Photo of pothole showing service line material – City Side of meter
2. Photo of pothole showing service line material – Customer Side of meter
3. Photo inside meter pit showing pipe material and solder/misc. fittings inside meter pit

**EXHIBIT B – BID FORM**

**BID ITEM #1 In-Field Verification by Excavation**

The bidder will be expected to pothole/excavate (mechanical or vacuum or hydro) service lines to determine the material present. This includes excavating both the utility and homeowner’s side of the service line within three to five feet of the meter on each side.

The bidder will take photos of the exposed pipe on either side of the service line and submit them and the listed information outlined in Exhibit A to the City via Bartlett and West using a supplied QR Code for digital submission. The City reserves the right to change the submission requirement to another digital format, if necessary.

The city has approximately 1,800 service lines. For the purposes of this proposals, the bidder should assume 1,490 service lines will need to be excavated and verified in the field. The bidder is required to provide a unit price for excavating each service line (both the customer and the utility’s portions). This unit price will include full restoration of the excavation site.

**Unit price for excavating both sides of the service line: \$ \_\_\_\_\_**

The City reserves the right to request additional service line verifications up to the total number of lines in the city at the unit price provided in the proposal. The City will not be obligated to pay the contractor for in-field verification work if the number of lines requiring in-field verification is less than the estimate listed above.

Describe procedure for in-field verification by excavation, including process for full restoration of excavation site (ex. after each excavation, in groups of 5, etc): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**BID ITEM #2 In-Field Verification by Visual Inspection**

Some service lines may need to be visually inspected in a home, basement, crawlspace, or other location adjacent to the home to determine the service line material. Visual inspection could involve entering these locations with homeowner permission, using lead test kits on exposed piping, magnet testing, and photographing lines for documentation. Contractor will be responsible for getting written permission from home / property owner in writing.

The bidder should assume that 1,490 service lines will require visual inspection. The bidder is required to provide a unit price for visually inspecting a service line.

**Unit price for visually inspecting a service line: \$ \_\_\_\_\_**

The City reserves the right to request additional visual inspections up to the total number of lines in the city at the unit price provided in the proposal. The City will not be obligated to pay the contractor for

visual inspection work if the number of lines requiring visual inspection is less than the estimate listed above.

Describe procedure for in-field verification by visual inspection: \_\_\_\_\_

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**Basis of Award**

All bidders must provide documentation of the below qualifications with their bid to assist the City with their proposal evaluation process.

- The specialized experience and technical competence of the bidder with respect to the type of services required;
- The capacity and capability of the bidder to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;
- The past record of performance of the bidder with respect to such factors as control of costs, quality of work, and ability to meet schedules;
- The bidder’s familiarity with the area in which the project is located.

The City will award the contract to the lowest responsive, responsible bidder that meets all listed qualifications.

Anticipated Start Date: \_\_\_\_\_

Expected Timeline of Project: \_\_\_\_\_

The total cost of the proposal will be the sum of the costs listed below:

1. Total cost for excavation: \$ \_\_\_\_\_ (calculated as the unit cost for excavation \$ \_\_\_\_\_ x 1,490 (number of estimated service lines requiring excavation))
2. Total cost for visual inspection: \$ \_\_\_\_\_ (calculated as the unit cost for visual inspection \$ \_\_\_\_\_ x 1,490 (number of estimated service lines requiring visual inspection)).

**Total Cost of Proposal: \$** \_\_\_\_\_

**Total Cost of Proposal in Words:** \_\_\_\_\_

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\*In case of discrepancy between numbers and words, the words will be used to determine total proposal cost.

## EXHIBIT C – PROTEST PROVISIONS

The remedies provided by these provisions apply only to individuals or entities that directly participated in the solicitation process, specifically, Bidder or Offerors.

### DEFINITIONS:

**Award Notification:** The official notification from the City of Marceline to the bidder selected by the city as a result of the solicitation processes listed above.

**Bidder:** Any person or entity that responds to an invitation to bid.

**Bid:** All of the types of solicitations listed above.

**Close of Business:** Time by which protests must be filed with the city. Such time is set by the city and it is the responsibility of the protestor to contact the city to determine the time.

**Offeror:** A person or entity that responds to solicitations listed above.

**PROTEST PRIOR TO BID DUE DATE:** After a bid is released, but before the bid due date as defined in the solicitation, a Bidder or Offeror may submit a written letter of protest on the grounds the bid specifications are:

1. Inadequate
2. Unduly restrictive
3. Ambiguous

**PROTEST AFTER AWARD IS RECOMMENDED BUT BEFORE CONTRACT AWARD:** After bids are accepted and an award recommendation is made to the governing body for approval, but before approval of a contract for services, a Bidder or Offeror may submit a written letter of protest. The written letter of protest must set forth one of the following bases for the protest:

1. Arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.
2. Contrary to constitutional right, power, privilege, or immunity.
3. In excess of statutory jurisdiction, authority, or limitations, or short of statutory right.
4. Without observance of procedure required by law.
5. Unsupported by substantial evidence that may include, but is not limited to:
  - a. A technical or mathematical mistake or error occurred during the evaluation process.
  - b. There is reason to believe that the bids or proposals may not have been independently arrived at in open competition, may have been collusive, or may have been submitted in bad faith; or
  - c. An Offeror was not accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals.

### DEADLINES:

1. Bid specification protests: A letter of protest must be received by the soliciting entity by the close of business ten (10) business days prior to the due date for bid response.
2. Bid Award Recommendation Protests: The letter of protest must be received by the soliciting entity by close of business within five (5) days after the date of award recommendation.

**LETTER OF PROTEST REQUIREMENTS:**

A protest must:

1. Be specific as to which bid is the subject of protest.
2. Must indicate, with specificity, the grounds for the protest.
3. Must be received within the time limits defined above.
4. Must include a return address and contact information of the Bidder/Offeror; and
5. Must be submitted via email to the soliciting entities email address as defined by the soliciting entity OR delivered in person to the soliciting entity at the official office of the entity within normal business hours.

Letters of protest that do not meet all five (5) of the requirements above will be rejected.

**RESPONSE TO PROTESTS:**

All protests will be reviewed and acted upon by the governing board of the entity within five (5) business days after the deadline for submitting protests. The decision of the board will be provided to the protestor in writing within two (2) business days following the decision. The decision of the governing board is final.

If a protest is received for a bid award, the award will be delayed until the board has reviewed the protest and made a final decision regarding the protest.