

## Specifications for LEAD BASED PAINT HAZARD CONTROL (LBPHC) PROGRAM SERVICES PROVIDER

### **Project Description**

The City of Flint Lead Based Paint Hazard Control Program's mission is to produce lead-safe housing for families with children under age six living in high-risk neighborhoods. The program offers funding to eligible property owners to control or abate lead-based paint hazards in privately-held 1-4 unit residential structures built before 1978. By definition, single-family dwellings contain up to four (4) units. Dwellings typically contain eight (8) rooms, with the exterior being counted as one room. Restrooms are considered a room; closets are not. Primary work activities include window and door replacement, painting, siding, porch repair and/or replacement, bare soil treatment and minor repair work. This project is funded by a federal grant from HUD's Lead Hazard Reduction Demonstration (LHRD) and Healthy Homes (HH) Grant Programs, determining cost per unit LBPHC Scope of Work.

\*\* Multiple vendors may be awarded for this project.

**\*This RFP includes 13 homes to be serviced. More details of these homes including LIRA reports will be addressed at the mandatory pre-bid meeting. Please see the next page for more details.**

Refer to The HUD Guidelines for the Evaluation and Control of Lead-based Paint in Housing (2012 Edition). Visit [www.hud.gov](http://www.hud.gov) for more information.

[https://www.hud.gov/program\\_offices/healthy\\_homes/lbp/hudguidelines](https://www.hud.gov/program_offices/healthy_homes/lbp/hudguidelines)

The City of Flint, Michigan, is seeking proposals from a qualified Licensed/Lead certified Contractor experienced in performing **Lead Based Paint Hazard interim control and/or abatement Scope of Work determined by COF LBPHC Program Manager and a City of Flint approved Lead Inspector/Risk Assessor provided LIRA Report. In partnership with the City of Flint, approved Lead Inspector/Risk Assessor, the Contractor will also design and bid out projects, administer the associated construction paperwork and provide construction oversight/labor on up to 13 units. City of Flint located contractors will be given preference.** In consultation with the City of Flint LBPHC Program Manager, the respondent selected pursuant to this RFP (the "selected respondent") must have the capacity to work within the City of Flint and approved program applicants, which requires managing sensitive personal information. Contractor must demonstrate experience working with residents and meeting deadlines. Contractor is to be in compliance with federal and state laws and have good working relationships with the City of Flint and the Michigan Department of Health and Human Services.

### RFP Timeline

Date	Description
RFP Issued	Monday, July 17, 2023
Mandatory Pre-Bid Meeting	Monday, July 24, 2023
Mandatory Walk Throughs	Tuesday, August 1, 2023
Questions Due	Thursday, August 3, 2023
RFP Due	Tuesday, August 8, 2023
Bidder Selection	By August 31, 2023
Council Approval	September-October, 2023

### **Access to Locations**

The Contractor is responsible for obtaining access to the properties. Most of the properties are occupied. Some of the properties may be locked and secured. It is the responsibility of the Contractor to coordinate access to locked and secured properties with the homeowner and the Project Manager. Thus, successful completion of an inspection may require more than one site visit to a property Contractor is to work with the LBPHC Program manager and a City of Flint approved Lead Inspector/Risk Assessor who will provide unit assessments for Healthy Homes Hazards (per the Healthy Homes Rating System), provide full Lead Inspection/ Risk Assessments (including lab sample testing), create designs for scope of work and bid out the projects per a sealed bid process.

In partnership with the COF LBPHC Program Manager, the Contractor is to oversee project site activities for compliance with lead abatement practices.

### **Mandatory Pre-Bid Meeting**

A mandatory pre-bid meeting regarding this RFP will be held on **Monday, July 24, 2023** at **11:00 A.M. EST** via Google Meet. A notice of intent must be submitted to Mikesha Loring, LBPHC Program Manager at [mloring@cityofflint.com](mailto:mloring@cityofflint.com) by **Friday, July 21, 2023 at 3:00 P.M. EST**. Prospective bidders are to meet here, with a department official being present to give a detailed presentation regarding this project. LIRA reports and COF approved Scope of Work for each house will be handed out at this meeting. This will be the only venue that potential contractors will be able to have a face-to-face conversation with the Purchasing and LBPHC departments. This venue will also allow contractors to ask any questions concerning this Project. Failure to attend this meeting may result in disqualification of your bid.

Pre-Bid MTG - LBPHC Services Provider

Monday, July 24 · 11:00am – 12:00pm

Time zone: America/New\_York

Google Meet joining info

Video call link: <https://meet.google.com/iwa-rrkw-wsj>

Or dial: (US) +1 561-507-0726 PIN: 950 593 178#

More phone numbers: <https://tel.meet/iwa-rrkw-wsj?pin=4886175865983>

### **TASK 1 Lead Remediation/Construction Oversight, and Clearances**

The COF LBPHC strategy includes a combination of abatement and interim control methods, with emphasis on the use of interim controls when substrates are in fair or better condition. The COF LBPHC Program's key hazard elimination strategy will be the replacement of all operable prime windows, doors and siding identified with lead paint hazards in each unit.

### **TASK 2 Work Specifications and Bids**

At the initial unit screening, the PM or Rehab Agent will inspect the unit and note any rehabilitation issues contributing to the deterioration of painted surfaces. This information will be combined with the recommendations of the combination Risk Assessment/Paint Inspection and work specifications and a cost estimate will be written by the Remediation Specialist to include remediation of all lead hazards and minor rehabilitation work required to protect surfaces with lead paint. The COF LBPHC Program Service Provider will ensure all necessary work is completed with certified staff or by following standard per house bidding procedures. The standard City of Flint policies and procedures for procurement will be followed including mandatory pre-bid meetings. The initial inspection notes, prepared work specifications, State Historic Preservation Office review and environmental clearance will be submitted to the Program Manager for review and approval prior to initiating the bid process.

Once the work specifications are written, they are submitted to the Program Manager for final approval. Upon approval, the work specifications are placed out to bid in packages of one unit to a maximum of five units. This allows the contractor who is awarded a package to be guaranteed a certain amount of work.

### **TASK 3 Lead Remediation/Construction Oversight, Relocations, and Clearances**

The COF LBPHC strategy includes a combination of abatement and interim control methods, with emphasis on the use of interim controls when substrates are in fair or better condition. The COF LBPHC Program's key hazard elimination strategy will be the replacement of all operable prime windows, doors and siding identified with lead paint hazards in each unit.

Contractor is to provide oversight for lead hazard control projects to assure compliance with state and federal guidelines for these activities. Contractor will administer the construction contract, collect required documentation, obtain necessary sign-offs for invoice billing, payment distribution, and change orders.

Contractor will work with the City of Flint LBPHC Program manager on temporary relocation stipends, as needed, for residents during the hazard control work. (Relocation stipends are a separate reimbursement cost paid by the Lead Program). Contractor will work with a City of

Flint approved Lead Inspector/Risk Assessor to conduct all clearance inspections and document lab testing, (Lab testing fees are a separate reimbursement cost paid by the Lead Program), for project clearances for 10 units.

#### **TASK 4 Healthy Homes Remediation**

Contractor is to work in conjunction with a City of Flint approved Lead Inspector/Risk Assessor; a City of Flint approved Lead Inspector/Risk Assessor will conduct the Healthy Homes Rating System (HHS) Assessments for Lead Program units. HHS identifies 29 hazard categories caused by different types of defects. Conducting remediation of identified and documented health and safety hazards that are individualized for each of the housing units selected to receive this work where lead hazard control activities are being completed for 10 units.

[https://www.hud.gov/program\\_offices/healthy\\_homes/lbp/hudguidelines](https://www.hud.gov/program_offices/healthy_homes/lbp/hudguidelines)

#### **Additional Information**

To assist Proposers in the development of their RFP the following documents are available for review.

**Exhibit A:** SUBMISSION & SELECTION

**Exhibit B:** PROPOSAL FORMAT

#### **General Terms and Conditions**

The following terms and conditions are subject to change.

##### **A. Personnel**

The Contractor represents that he/she has or will secure, at Contractor's own expense, all personnel required in performing the services under the Agreement. Such personnel shall not be employees of or have any contractual relationship with the City. All of the services required hereunder will be performed by the Contractor or under Contractor 's direct supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under state and local law to perform such services.

Unless otherwise stated in this proposal, none of the work services covered by the Agreement shall be subcontracted without the prior written approval of the City. Any work or services subcontracted hereunder shall be specified by written agreement and shall be subject to each provision of the Contract.

##### **B. Assignability**

The Contractor shall not assign any interest in the Agreement and shall not transfer an interest in the same (whether by assignment or elevation), without the prior written consent of the City thereto; provided, however, that claims for money by the Contractor from the City Lender the Agreement may be assigned to bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be furnished promptly to the City.

C. Findings Confidential

All of the reports, information, data, City of Flint approved contractor. Any prepared or assembled by the Contractor under the Contract are confidential and the Contractor agrees that they shall not be made available to an individual or organization without the prior written approval of the City.

D. Copyright

No report, maps or other documents produced in whole or in part under the Agreement shall be the Subject of any application for copyright by, or on behalf of, the Contractor.

E. Independent Contractor Status

It is expressly understood that the Contractor named in any proposed agreement is acting solely as an independent contractor, not as an agent or employee of the City. The City shall not under any circumstances be liable to the Contractor for or any person or persons acting for or under it or to any person for any deaths, injuries, or property damage received or claimed unless any such liability arises by virtue of the sole negligence of the City its officers or employees and the Contractor agrees to defend and hold the City free and harmless from liability which is not due to any fault of the City, its officers, agents, or employees.

F. Compliance with Local, State and Federal Law

The Contractor shall comply with all applicable laws, ordinances, and codes of the federal, state and local governments.

G. Hold Harmless Clause

The Contractor shall indemnify and save harmless the City against all loss, cost, or damage on account of an injury to persons or property, including employees or property of the City occurring in the performance of the contract.

H. Insurance Requirement

Contractor shall provide written proof of insurance coverage for personal injury and property damage, including comprehensive general and automobile liability and contractual liability in a form and amount acceptable to the City. Carrier shall provide notice of any change in or limitation of coverage or of cancellation no less than 25 days prior to the effective date. All coverage shall be provided by a carrier authorized to transact business in Michigan and shall be primary.

**EXHIBIT A**

**SUBMISSION & SELECTION**

I. Submission of Questions

- To ensure a fair and impartial process, the COF's Procurement Office will *only* address on time and properly submitted questions.
- Phone calls involving the RFP or related questions will not be accepted. Firms

submitting bids shall not contact any Board members or COF staff.

- All questions and answers related to this RFP will be supplied to Bidders that submitted questions, and/or to organizations providing the Procurement Office with notification of intent to submit a proposal.

- A. Due Date. Submit all questions regarding the RFP via email by Thursday, August 3, 2023 at 10:00 A.M. Eastern Time (Detroit). Submissions received at 10:01 A.M. are considered late and will not be considered further.

Responses to properly submitted questions will be posted on or around Friday, August 4, 2023. The COF will hold no other question sessions or bidder's conferences.

B. Delivery of Proposal

- Proposals are to be addressed to the City of Flint Department of Purchases and Supplies, Flint, MI, 48502 by no later than Tuesday, August 8, 2023 at 11:00 A.M. EST.

II. Submission of Proposal

- Submitted proposals must respond to and address the tasks, activities, listed requirements and questions outlined in the Scope of Work of this RFP and its attached and incorporated exhibits.
- The COF shall not be liable for any costs that a Bidder may incur while preparing a proposal.
- The COF shall not be liable for any costs that a Bidder may incur prior to the complete execution of a contract.
- If the COF enters into a contract, the COF's consideration (payment) shall be limited to the term of the contract.

III. Selection of Proposal

The selection of a proposal shall be subject to a review by the COF's Legal Division concerning conflicts of interest and/or participation in COF programs by the Bidder, its officers, employees, subcontractors or independent contractors.

- A. **Selection Criteria.** The COF will select the proposal based on Selection Criteria listed below:

1. The depth of the contractor's team, applicable knowledge, and the capacity of the firm,

	to perform the work and manage the project within the budget limitations of the grant;	(40 Points)
2.	Adequacy of proposed methodology, staffing, and time frames for performing services	(30 Points)
3.	The contractor's knowledge and experience regarding Communication skills and social barriers, including clarity of proposal.	(20 Points)
4.	Reasonableness and feasibility of fee	(10 Points)
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	Total Possible Points:	100 Points

*Note:* The COF will utilize all Bidder information to determine the best value for the services sought, and is not obligated to accept the lowest price proposal.

- B. Proposal Selection.** The selection committee shall review and rate all properly submitted proposals against the set of criteria found in Exhibit B. In addition, the top 2-3 ranked firms may be invited for an interview prior to final selection. The COF's review may take up to four weeks after the closing date for submitting proposals. The COF anticipates notifying the selected contractor in August, 2023 via e-mail and posting on the COF's website; however, the selection and final notice of award will be contingent on approval by the Michigan Civil Service Commission and the COF's Board.

*Note:* The COF will utilize all Bidder information to determine the best value for the services sought, and is not obligated to accept the lowest price proposal.

- C. Cancellation of Selected Proposal.** The selection of a proposal by the COF may be cancelled at any time prior to the complete execution of a contract. If the COF cancels its selection of a proposal, the COF may repost this or a similar RFP and re-seek proposals. Reasons for canceling the selected proposal may include, but are not limited to, the following:
1. Refusal of Department of Civil Service to process required forms.
  2. Refusal of duly authorized COF signatory to execute the contract.

## EXHIBIT B PROPOSAL FORMAT

### I. Overview

- Proposals must be submitted in the format described in this Exhibit as

outlined below.

- There should be no attachments, enclosures or exhibits other than those considered by the Bidder to be essential to a complete understanding of the proposal.
- Each section must be clearly identified with appropriate headings and/or table of contents.
- The proposal should be clear, accurate, and complete, with sufficient detail to enable the COF to evaluate the services and methods proposed.

## II. Headers and Contents

- Proposals not including requested information may be viewed by the COF as non-responsive and not considered further. Bidders are strongly encouraged to review their proposals prior to submission to ensure that all requested information is included.

### A. **Company Background Information.**

#### 1. Legal business name and address.

[Name]

[Street Address]

[City, State, Zip]

[Phone Number]

[Website address]

#### 2. The type of entity (e.g., Michigan corporation, Michigan nonprofit corporation, Michigan limited liability company, foreign).

*Note:* Prior to contract execution, the selected contractor will be required to provide proof of authorization to conduct business in the State of Michigan.

#### 3. Any applicable "Doing Business As" names.

#### 4. Any branch office, or name and address of the registered agent, if applicable.

#### 5. Legal business name of any applicable parent company, and its address.

#### 6. State your business is incorporated in.

#### 7. Number of years in business and number of employees.

#### 8. Has there been a recent change in the organizational structure (e.g., management team) or a change of control (merger or acquisition)?

(Yes / No)

If Yes, why and how has it affected your company?

#### 9. Has your company ever been debarred, suspended, or otherwise disqualified from bidding,



proposing, or contracting with any governmental entity, including the State?  
(Yes / No)

If Yes, provide the date, governmental entity, and details surrounding the action.

10. Has your company ever been sued by the State of Michigan? (Yes / No)

If Yes, provide the date, case caption, case number, and identify the court that the case was filed in.

11. Within the past five (5) years, has your company defaulted on a government contract, or been terminated for cause by any governmental entity, including the State?

(Yes / No)

If Yes, provide the date of action, contracting entity, type of contract, and details surrounding the termination or default.

12. Within the past five (5) years, has your company defaulted on a contract or been terminated for cause by any private entity in which similar service or products were being provided by your company?

(Yes / No)

If Yes, provide the date of action, contracting entity, type of contract, and details surrounding the termination or default.

13. Does your company have experience working with the City of Flint?

(Yes / No)

If Yes, please provide a list (including the contract number) of the contracts you hold or have held with the City for the last 5 years.

**B. Management and Personnel. Answer/Address the following:**

1. Authorized Signatory. The Bidder must clearly identify the name and title of an official authorized to commit the Bidder to the terms and conditions of the proposal.

a. Provide any resolution(s) authorizing the designated official as an approved signatory.

b. Proposal must include the statement of bid commitment, see Section H below, signed by the approved signatory.

2. Officer and Management Summary. Identify manager(s) and/or officer(s) who will manage the contract if it is awarded:

a. Provide current contact information including the manager/officer name, title, mailing address, email address, and phone and fax numbers.

b. Personnel Summary. Identify proposed key project personnel, including job titles, responsible for performing the activities / services described in the Scope of Work. Provide information regarding your firm's current staffing, current workload, and availability to provide the subject services.

**C. Experience.**

1. Prior Experience of Bidder. Indicate prior experience of your organization that you consider relevant to the successful accomplishment of the project described in this RFP.

- a. Include sufficient detail to demonstrate the relevance of such experience.
    - Emphasis should be placed on the experience of the firm over the individual employees.
    - At a minimum, provide a number of years of experience in conducting Risk Assessments and Environmental Investigations.
  - b. Include descriptions of qualifying experience, including project descriptions, costs, and start/end dates of projects successfully completed.
2. Professional References. Include 3 professional references who can provide information regarding the Bidder's prior past performance.
  3. Additional Information and Comments. Include any other information that is believed to be pertinent but not specifically asked for elsewhere
- D. Proposed Services.**
1. How Services Will be Rendered. Address and describe the process used to render the services and how the services will be rendered. This should be an overview of the methodology to be used, based on staff and time frames, to meet the project scope of work and complete the required services within the time frame of the project.
  2. Use of Subcontractors.  
(Yes / No)  
If yes, for any work will be subcontracted, describe the following:
    - Work that will be subcontracted.
    - The process used to select the subcontractors.
    - The subcontractor's experience and expertise.
    - The names of the firms/individual(s) who will perform the subcontracted work.
    - How quality of service will be monitored and ensured.
  3. Standards. Describe or address the following:
    - a. The standards that the services will satisfy. (If standards of a professional association will be followed, identify the standards and the association.)
    - b. How quality of service will be monitored and ensured.
    - c. Whether "best practices" will be followed. (If applicable, identify the organization and/or document establishing such standards.)
  4. Security of Data. If the services to be rendered require the collection and/or use of confidential and/or personal data, confirm the following:
    - a. Has your organization established and used a policy to address the security of paper and electronic data?  
(Yes / No)  
If No, explain how your organization addresses the security of paper and electronic data.  
(Note: Please do not submit a copy of your security policy.)
    - b. Does your policy address the removal of confidential and/or personal data from storage media? (For example, does your firm's policy include the removal or "wiping" of data from hard drives when a computer is no longer used?)

(Yes / No)

If No, explain how your organization handles confidential and/or personal data.

5. Copyrighted Materials. Acknowledge and/or confirm the following:
  - a. You agree that any and all products produced as a result of this contract shall be the property of the COF.
  - b. You agree that the COF shall (a) hold a copyright on all materials or products produced under the contract and (b) be allowed to file for a copyright with the United States Copyright Office.
  - c. You acknowledge that submitted documents will not contain in part or whole copyrighted materials.
  
6. Estimated budget per home.
  - a. Provide a budget for your submitted proposal. Your proposed fee should be broken out by task based on the proposed scope of work or other logical basis. Please include a time and materials fee schedule for review.
  - b. The City recognizes that it may be difficult for Proposers to develop an accurate budget given the open-ended parameters of this proposal. In light of this concern, Proposers should be aware that the City may negotiate the scope of work of the contract as well as its terms and conditions to “fit” the City's needs and priorities.
  - c. Once the selection committee has selected a firm adequately qualified for the scope of work, the City may negotiate a contract with the selected firm for compensation, which they determine to be fair and reasonable to the City. Should the committee be unable to negotiate a satisfactory contract with the firm selected, the committee may undertake negotiations with another proposing firm.

**E. Schedule/Timeline.**

1. Bids must include a schedule for delivery of services set forth in the Scope of Work, and cite the proposed deadlines for completing the tasks within the Scope of Work. Include a timetable indicating how the project will be scheduled.

<i>Completed Service/Project Components</i>	<i>Estimated Completion Dates</i>

Contractors should provide a timeline for completing the various components of the services, considering tasks 1, 2, 3, and 4. (Tasks 1 through 4 may run simultaneously throughout the grant and multiple activities may be required for different projects during an overlapping time frame).

**F. Disclosures.**

1. Interests in COF Programs. COF programs include, but are not limited to, CDBG and HOME funded programs, and any grants made by or administered by the COF.

- a. Does the Bidder, its officers, board members, and employees respectively, have any interests in COF programs?

(Yes / No)

If Yes, please provide their name, title, and the COF program for which the interests exist.

- b. If the Bidder intends to use independent contractors or subcontractors to render services, do the independent contractors or subcontractors and their officers, board members, and employees respectively, have any interests in COF programs?

(Yes / No)

If Yes, please provide their name, title, and the COF program for which the interests exist.

2. Potential Conflicts of Interests. Potential conflicts of interest may arise from the Bidder's officers, employees, members, board members, independent contractors or subcontractors the Bidder will use to render services, if the organization enters into a contract with the COF.

- a. Is the Bidder currently under contract and/or been awarded a grant from the COF?

(Yes / No)

If Yes, please confirm whether any potential conflict of interest will exist if the COF enters into a contract with the Bidder.

- b. Does the Bidder, its officers, board members, and employees, hold a position with another entity that may be under contract or receiving a grant from the COF?

(Yes / No)

If Yes, include an organizational chart from each entity under contract or awarded a grant from the COF in which the Bidder or project personnel holds a position. Include each employee's position and title within the entity. In addition, indicate whether the Bidder or the project personnel is responsible for making financial decisions in his/her capacity and what measures have been implemented to ensure that funds are not commingled.

THE COF RESERVES THE RIGHT TO DEEM A BID NON- RESPONSIVE FOR FAILURE TO DISCLOSE A POTENTIAL CONFLICT OF INTEREST.

3. Family Members Who Work for COF.

- a. Does the Bidder, its officers, board members, and employees respectively, have family members who work for the COF?

(Yes / No)

If Yes, please provide their name and the name of the family member currently employed at the COF.

### **Contract Requirements**

The tasks Outlined in this RFP will be funded through a United States Department of Housing and Urban Development, Lead Hazard Reduction Demonstration Grant. Therefore, the Contractor must comply with all applicable Federal and State regulations. Contractors are

advised to review the rules prior to submittal of a proposal.