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Lead

atomic number

82

symbol

Pb

electron configuration

[Xe]4f¹⁴5d¹⁰6s²6p²

name

lead

atomic weight

207.2

acid-base properties of higher-valence oxides

crystal structure

physical state at 20 °C (68 °F)

Other metals

Solid

Face-centred cubic

Equal relative strength

Copper

atomic number

29

symbol

Cu

electron configuration

[Ar]3d¹⁰4s¹

name

copper

atomic weight

63.546

acid-base properties of higher-valence oxides

crystal structure

physical state at 20 °C (68 °F)

Transition metals

Solid

Face-centred cubic

Weakly basic

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REQUEST FOR PROPOSAL

FOR

LEAD & COPPER RULE REVISION COMPLIANCE

ISSUE DATE: AUGUST 21, 2023

DUE DATE: SEPTEMBER 21, 2023

1. INTRODUCTION

The City of Osawatomie is soliciting sealed competitive proposals to provide services associated with the development, implementation, and management necessary for the City of Osawatomie to meet the requirements of the Lead and Copper Rule Revisions, as mandated by the Environmental Protection Agency (the “EPA”), and the EPA’s proposed lead and Copper Rule Improvements.

2. SCOPE OF WORK

The City of Osawatomie has approximately 1,733 water meter/services and approximately 30 miles of water mains consisting of cast iron, ductile iron, and polyvinyl chloride. Osawatomie has established the following objectives for this project. Any changes to the specifications of Scope of Work will be made in the form of an Addendum to this Request for Proposals and will be supplied to all known prospective providers and posted on the City’s website. Notwithstanding the foregoing, providers will be responsible for ensuring that they have all addenda.

It is anticipated that the Scope of Work will include the following tasks. Without limitation:

- Lead Service Lateral (LSL) Inventory
- Identify “Lead-Status-Unknown” Service Laterals
- Develop a Lead Service Lateral Replacement Program
- Sampling Monitoring Program, including, without limitation, providing sampling kits and sample analysis.
- Public Education and Outreach Program, including, without limitation, providing pitches and filters to affected customers.
- Technical Implementation Support

The following outlines the expected tasks and deliverables associated with each of the above tasks.

Lead Service Lateral (LSL) Inventory

(Development of the inventory is required to be completed by October 16, 2024. Provider is required to maintain/update the inventory through December 31, 2026. Prior to December 31, 2026, the selected provider will be required to train City personnel to maintain/update the inventory).

The items under this task will identify possible known locations of lead service laterals still in use. Development and implementation of the LSL inventory is expected to include, but may not be limited to, the following:

- Develop LSL Inventory. Present data in such a manner as to achieve compliance with KDHE spreadsheet requirements.

- Using existing material data (as-built drawing, structure age, etc.) and provider's expertise to predict probability of lead presence in service laterals.
- Perform review of records to determine which locations in the service area are most likely to have lead services. Methods such as noting service installations that occurred prior to 1985 that may contain lead solder, and excluding components installed after the year 2000, can be used to help determine the service areas that are likely to contain lead services.
- Develop and advise on validation strategy and best practices to verify line materials in the most cost-efficient manner.
- Develop and implement a data base of the LSL inventory
- Provide the ability to track material of both private and public sides of the service laterals.
- Provide a cloud-based system for internal City users and approved third-party users to view and input material data by location. System should allow users to view results in a map
- Provide the ability for field teams to input material data, including photos, directly into the software system via a mobile device.
- Provide data "clean up" support to gather, organize, and input appropriate data meeting inventory requirements and prediction capabilities.
- Provide a web-based map of service line data to be made available to the public on the City's website.
- Provide the ability to export data for use with geographic information systems (GIS), PubWorks, or other technology applications or reporting to regulators, in the manner they want the information provided.
- Provide training to City staff for the on-going management of the LSL database.

Identify "Lead-Status-Unknown" Service Laterals

This task shall develop a cost-effective solution to determine "lead-status-unknown" service laterals. This may include excavation of service laterals utilizing vacuum excavation to identify service lateral material trends, etc. Developing and implementing a strategy to determine the material of "lead-status-unknown" will be key component of the LSL Inventory. Identifying the materials of "lead-status-unknown" service laterals are expected to include, but may not be limited to, the following task.

- Provide excavation to identify material trends in "lead status unknown" laterals, if needed.
- Develop and train City staff on a replacement and identification protocol if "lead-status-unknown" service laterals are found to be LSLs.

- Assist the City staff in physically verifying the material of water service laterals.
- Develop a plan for “site closure” to verify that “lead-status-unknown” laterals do not contain lead within the service lateral.

Develop a Lead Service Lateral Replacement Program

(Development of the program is required to be completed by October 16, 2024. Provider is required to support the program through December 31, 2026)

This task shall include the development of program(s) for the City and its contractors to replace any known or discovered lead service laterals in compliance with the LCRR and LCRI, as applicable. This task must take into consideration the rate of replacement required under the LCRR and LCRI, as applicable, as well as developing a plan for the City to implement the logistics. Developing a lead service lateral replacement program is expected to include, but may not be limited to, the following tasks:

- Develop a program strategy and framework to prioritize replacement of lead service laterals, and best practices for implementation with input and approval by the City.
- Assist the City with creating a lead service lateral replacement program and submitting the plan to KDHE.
- Assist the City in responding to any question or comments from KDHE and EPA regarding the proposed lead service lateral replacement program.
- Prepare cost estimates for lead service lateral replacement to be included in the City’s Capital Improvement Plan (CIP)
- Provide communication guidance, and campaign templates for public communication.
- Develop a program and associated standard operating procedures (SOP) to track service lateral replacement progress and provide real-time dashboards, exportable reports, etc.
- Provide workflow management templates and standard operating procedures to track all program data, facilitate approvals, and reporting of progress.
- Develop a program to track resident communications, such as letters and phone calls
- Develop a program and associated SOPs to source distribute, track, and order pitcher/filters when lead laterals are identified and replaced on both an agreed upon schedule and an ad hoc basis.

Sampling Monitoring Program

(Development of the program, and completion of initial required sampling, is required to be completed by October 16, 2024. Provider is required to support the program through December 31, 2026.

The provider shall develop a sampling monitoring plan that will be provided to the City and will be in accordance with the LCRR and LCRI, as applicable. The City expects the selected provider

to develop a program to manage sampling, sample kit distribution, and sampling results across the service area within compliance of the LCRR and LCRI, as applicable. Developing a sampling monitoring program is expected to include, but may not be limited to, the following task:

- Create a database to track samples with the ability to show all historical and future samples and results for a given location.
- Distinguish by type of sample location (profile, routine compliance, school/childcare, special customer request).
- Create sampling plans for the City based on the LCRR and LCRI, as applicable.
- Provide 1st and 5th liter sample result tracking and reporting for both LSL and non-LSL sites pursuant to the requirements of the LCRR and LCRI, as applicable.
- Track and adjust tier sites.
- Assist the City in identifying schools and childcare facilities that are required to be sampled.
- Support school and childcare facility sampling for both the LCRR and LCRI, as applicable, standard requirements and EPA 3Ts standard requirements.
- Provide an SOP to track fixture level sampling, remediation data, and sampling of all fixtures of a school or childcare facility.
- Manage and perform all the samplings from the customer, laboratory, and school/childcare facility.
- Create a resident communications database for the City's use, to track notifications (i.e., letters, phone calls) to residents, regulatory agencies, etc.
- Provide an SOP for reporting results to customers and primacy agencies within EPAs required timeframes depending on the results obtained.
- Create a database to order, track, and ship sampling kits.
- Provide an SOP to import and export data from alternate City software systems like GIS, and PubWorks.
- Assist the City in tracking and addressing customer issues, provide educational materials, and manage lab coordination.
- Review City's current corrosion control program and make recommendations for any needed revisions to the program in order to maintain compliance with the LCRR and LCRI, as applicable.

Sampling Kits and Sample Analysis

- Provide EPA-approved sampling kits.

- Provide consumer-friendly sampling kits in response to customer requests, compliance, or other direct resident sampling requests according to an approved sampling plan.
- Review the existing Lead and Copper Sampling Plan for the City's water system
- Provide recommendations for a revised Sampling Plan that will include targeted sampling sites based on the LCRR and LCRI requirements, as applicable.
- Assist City in identifying schools and daycare facilities that need to be sampled.
- Drop ship sampling kits, including sampling instructions, directly to customers (account holders) and be financially responsible for all charges associated with shipping.
- Create a database to order, track and ship sampling kits.
- Create a resident communication database for City use to track notifications (i.e., letters, phone calls) to resident, regulatory agencies, etc.
- Manage all shipping and logistics of sampling kits to the customer, laboratory, and school/childcare facility.
- Provide multiple sampling kit options including 1L bottle and 1st/5th L bottle kits that meet the LCRR and LCRI requirements, as applicable.
- Provide pre-labeled sample bottles for school/childcare facility sampling and other locations, as needed, and be financially responsible for all charges associated with shipping and sampling.
- Provide an SOP for reporting results to customers and primacy agencies within EPA's required timeframes depending on the results obtained.
- Laboratory must be certified for a Lead and Copper Analysis method approved by KDHE.

Public Education and Outreach Program

This task shall include developing and providing a public outreach program for the City to implement. Included in this program will be the necessary data packets required under the LCRR and LCRI, as applicable, as well as any functional replacement items and the timeframes required for customers (i.e., account holders, schools, childcare facilities, etc.) during all possible LSL replacement activities the City may undertake. Developing and implementing a public education and outreach program shall include, but may not be limited to, the following tasks:

- Assist the City in developing a plan to meet all EPA requirements to notify customers.
- Develop an SOP for providing the required notification (individual customer and entire water system as required in the LCRR and LCRI, as applicable).
- Assist in the development of outreach, educational, and promotional materials for each phase of the City of Osawatimie's Compliance Program (i.e., inventory, replacement, sampling, etc.).
- Assist the City in the development of a program to provide training for school and childcare facilities to collect samples.

- Develop an SOP for providing pitcher filters/cartridges to each customer affected by the LSL Replacement Program.
- Assist the City in selecting the appropriate pitcher/filter provider, to include (but may not be limited to) development of an appropriate competitive bidding document in accordance with applicable law for procurement of pitchers/filters (subject to prior review and approval of the City), reviewing proposals, etc.
- Develop and implement a program and procedure for notifying residents that may have lead service laterals, to include a way to track and provide any required materials (i.e., pitchers, filters, etc.).
- Develop and implement a public education and outreach assistance program.

Technical Implementation and Support

(Develop, Implement, and Maintain/Update through December 31, 2026)

This task shall involve training City staff to access and manage a database of data collected for lead service laterals and sample results from compliance activities related to the LCRR and LCRI, as applicable. The provider shall also develop standard database functions to streamline communication between customers and departments within the City. Development of a technical implementation and support team is expected to include, but may not be limited to, the following tasks:

- Provide a data management solution within three (3) months of contract signature date. The solution shall include a tracking compliance database as well as training City staff to manage the tracking database in accordance with the LCRR and LCRI, as applicable.
- Provide a designated support team to be a day-to-day point of contact supporting the City's program needs. RFP – Lead and Copper Rule Data Management & Implementation Services
- The database must allow the City to manage and build the database using its own collected data and sampling information. Additionally, provide training to the City on the use of this database.
- Provide technical support to the City in the use of the data management solution. Technical support should be through the designated support team.
- Provide a schedule for training the City's operational and technical staff to adequately use the features of the systems design to meet the City's needs.
- Provide documentation that the City will retain ownership of the data collected and a clear description of how the City may acquire the data, at no additional cost, should the City choose to discontinue services.
- Identify future funding sources (Federal and/or State) to assist private property owners with replacement of their service laterals. Assist the City in applying for such funds through loan and/or grant applications, etc.

- Assist in identifying service line material, by encouraging residents to take an online survey or have a consultant staff member conduct an assessment. Also, encourage them to coordinate with the contractor to replace their service line.
- Coordinate with the EPA and State for interpreting requirements, review of data, etc. and assist the City in addressing comments from the EPA and State on submitted data, etc.
- Assist the City with developing RFQs, RFPs, contract documents, etc. to select additional consultants and/or contractors to assist with the implementation of the various programs such as replacement of lead lines, corrosion treatment program, all in accordance with applicable law and subject to prior review and approval by City.
- Develop and implement a software solution that will provide various City departments with the collected data. The software solution shall be able to track public outreach efforts, notify the various departments, etc.
- Provide training and training materials (i.e., procedures) for utilizing the software.

3. PROPOSAL DEADLINE AND SUBMISSION REQUIREMENTS

3.1 All proposals must be received by the City by September 21, 2023, at 2:00 pm CST.

3.2 All proposals must include the following:

- The proposal title and due date and time.
- A cover letter/letter of intent on provider's letterhead, signed by an authorized representative of the provider, expressly agreeing to the City's terms and conditions contained in this Request for Proposals and its attachments.
- The provider's name or company name, address, and telephone number.
- The name, address, and telephone number of company representatives with the authority to answer questions or provide clarification regarding the proposal's contents.
- A list of key personnel to be assigned to perform the services and each person's qualifications. Personnel should possess relevant and diverse knowledge and expertise in their respective fields.
- The names of any and all subcontractors expected to perform services in connection with the project and their qualifications. Include the estimated percentage of work that each subcontractor is expected to perform. The City reserves the right to accept or reject any proposed subcontractor. Any approved subcontractor must also agree to strictly adhere to all terms and conditions of this Request for Proposals and the Services Agreement attached hereto.
- A detailed Form of Proposal in substantially the form attached hereto and incorporated herein by reference.

- A full description of services and processes that will be implemented and ongoing to complete the project in the most efficient, timely and comprehensive manner.
- The description should include a detailed implementation plan and project schedule outlining the primary tasks, estimated hours, responsibility, major deliverables and timing, including an estimated start date. Additional project deliverables are set forth below.
- Any assistance requirements from the City.
- A detailed company description and history, including the areas of expertise related to the project.
- A reference list of at least three (3) current projects or projects completed within the past twenty-four (24) months for projects of similar size and scope, including the name and telephone number of a contact person for each reference listed.
- Certificate of Insurance as evidence the provider meets the City's Minimum Insurance Requirements attached hereto as well as a W-9 for payment purposes.

Provider shall provide documentation sufficient to clearly demonstrate that their firm meets or exceeds the requirements set forth in this Request for Proposals. Failure to provide such documentation may result in the proposal being deemed non-responsive.

In addition to the foregoing, the City reserves the right to request financial information for any provider, in order to support the viability of the service provider. Those interested should submit three (3) hard copies. Sealed proposals may only be mailed or hand delivered to the following:

Mail: Tammy Seamands
P. O. Box 37
Osawatomie, KS 66064

FedEx/UPS: Tammy Seamands
509 5th St.
Osawatomie, KS 66064

Hand Delivery: Tammy Seamands
509 5th St.
Osawatomie, KS 66064

Proposals must be received no later than 2:00 pm CST on September 21st, 2023. The City will not be responsible for the failure of any mail or delivery service to deliver a proposal prior to the stated date and time. Regardless of the manner of submission, any proposal received after the stated date and time will not be considered. Incomplete proposals or proposals inconsistent with the required format may be disqualified from consideration.

4. EXPENSES

The City will not be responsible for any costs or expenses incurred by the provider in submitting a proposal or for any other activities associated with this procurement. Further, The City reserves the right to cancel the work described herein prior to issuance and acceptance of any contractual agreement even if the City Council has formally accepted the proposal.

5. QUESTIONS/ADDENDA

Questions or requests for further information regarding this Request for Proposals shall be submitted in writing to the attention of Tammy Seamands no later than September 13, 2023, at 2:00 pm CST. A copy of all questions, further clarifications and answers will be made in the form of an Addendum to this Request for Proposals and will be provided to all known providers and posted on the City's website. Notwithstanding the foregoing, providers are responsible for ensuring that they have all addenda. Providers are expressly prohibited from contacting any City official or employee regarding this Request for Proposals, except in the manner noted in this section. A violation of this provision is grounds for the immediate disqualification of the provider.

6. INSURANCE

Provider, and any of its approved subcontractors, must procure and maintain in full force and effect during the term of any agreement with the City or the renewal of any agreement with the City, the insurance coverage set forth in the Minimum Insurance Requirements attached hereto and incorporated herein by reference. In the event provider, or any of its approved subcontractors, fails to maintain insurance as outlined herein, the City may, at its option, obtain the required insurance at the expense of the provider.

7. PROPOSAL CONDITIONS

Submission of a proposal indicates explicit acceptance by the provider of the terms and conditions contained in this Request for Proposals and any attachments hereto. The City reserves the right to reject, without prejudice or explanation, any or all proposals. The City reserves the right to waive informalities or to amend the specifications of this Request for Proposals and request new proposals at any time prior to the award of a contract. All decisions of the City shall be final and binding.

- The provider shall supply the following:
- A single point of contact through proposal acceptance. The City will communicate solely through this contact regarding all issues relating to the proposal through acceptance.
- A single Project Manager, after acceptance, dedicated and available for the entire duration of the project. The Project Manager may only be replaced upon approval by, or at the request of the City. At a minimum, the provider's Project Manager shall be responsible for oversight and management of the Scope of Work as outlined above.

8. RESERVATION OF RIGHTS

8.1 Rejection

A proposal may be rejected if the provider fails to:

- Submit the proposal in the format specified.
- Supply the minimum information requested.
- Submit all addenda, addenda responses and templates.
- Submit the proposal by the date and time required.
- Submit a cost proposal as per attached Form of Proposal.
- Provide truthful and accurate information in the proposal.

8.2 No Acceptance

The City reserves the exclusive right to reject any or all proposals, to waive any informalities or technical defects in proposals, and to accept any proposal deemed most favorable to the City.

RFP Evaluation Criteria Weighting

Company Background and Project Experience

- Understanding of the drinking/potable water distribution system, sampling/testing guidelines, and other relevant policies and procedures, including, without limitation, the LCRR and LCRI, as applicable.
- The proposed work plan and approach, along with an understanding of the Scope of Work set forth herein, to assist the City with complying with revisions to the Lead and Copper Rule and previous experience working with KDHE provided lead and copper survey spreadsheet.

Project Team & Availability of Resources

- Highlight of the qualifications and relevant experience of the firm and its staff.
- Work force allocation.
- Optional cost-effective tasks proposed or recommended.

Project Approach

- The proposed schedule for the work and services, as well as the targeted milestones and deliverables, is outlined.

- The project management approach, quality assurance/quality control plan, communication with the City's project manager/staff, and public outreach efforts are detailed.

Cost Proposal

- Submission of properly itemized bid form as attached covering the additional work and/or the work to be deleted. This proposal will be itemized for the various components of work and segregated by labor, material, and equipment in a detailed format satisfactory to the City.
- Details to be submitted will include detailed line-item estimates showing detailed materials quantity take-offs, material prices by item and related labor/service hour pricing information.
- Creating action plans, auditing and revising current processes, organizing data, and most importantly, starting the process of creating and validating the Lead Service Line inventory are crucial steps to guarantee compliance with all the necessary requirements.

Computer Software

- The utilization of various software components to consolidate all relevant data elements, including, without limitation, customer information, service lines, water quality, etc., is described in order to provide a comprehensive, real-time view of compliance requirements.
- Software solutions specifically designed to manage LCRR- and LCRI related programs, such as creating a web-based inventory of LSL or monitoring the advancement of a full LSL replacement project, including, without limitation, the following components:
 - A cloud-based platform.
 - Web and mobile applications to provide public access to inventory database.
 - The capability to send notifications and share data with residents and stakeholders.
 - Built-in machine learning to aid in tasks such as material type identification.
 - Water sample tracking functionality.
 - Integration with databases such as GIS or PubWorks.

9. NON-DISCLOSURE OF INFORMATION

Provider and its agents shall treat all data and information associated with this Request for Proposals, including, without limitation, the Request for Proposals, all reports, recommendations, specifications and other data as confidential. Provider and its agents shall not disclose or communicate any information to a third party or use such information in advertising, propaganda, or in another job or jobs, unless prior written consent is obtained from the City.