

**CITY OF SOUTH BEND, INDIANA
REQUEST FOR QUALIFICATIONS**

LEAD HAZARD REDUCTION PROGRAM PRE-QUALIFIED CONTRACTORS

The City of South Bend, Indiana (City) on behalf of the U.S. Department of Housing and Urban Development (HUD) is soliciting responses (Responses) to this Request for Qualifications (RFQ) from qualified lead contractor to serve as Pre-Qualified Lead Contractors for its Lead Hazard Reduction Grant Program. Responses shall meet the Minimum Specifications and Program Conditions (Requirements) as listed in the RFQ.

The City of South Bend has received a grant to fund this Lead Hazard Reduction Program to control or eliminate lead hazards in properties owned or leased by low-income households. The grant is from the Department of Housing and Urban Development's Office of Lead Hazard Control and Healthy Homes ("OLHCHH"). It is anticipated that available resources will allow for lead hazard reduction work at **up to** approximately 70 houses as part of the grant program. It is the purpose of this RFQ to establish a registry of pre-qualified lead contractors who will be notified of opportunities to bid on Lead Hazard Reduction Program work. Additionally, both grants contain a Healthy Homes Supplement that allows for minor home repairs in homes undergoing lead hazard reduction work. Contractors that are also licensed to perform heating, plumbing, and/or electrical work in South Bend are encouraged to provide license information as part of their Response, as additional work might be available to these contractors through this program.

Responses, including an application and all supporting documents, shall be submitted electronically to the City of South Bend at leadgrants@southbendin.gov. At any point in time following the initial RFQ, a lead contractor may request to be placed on or deleted from the Registry of Pre-Qualified Lead Contractors. To be added to the Registry, lead contractors must submit a completed application and all supporting documents as outlined in this RFQ to the City of South Bend at leadgrants@southbendin.gov.

Interested firms must register at <http://www.southbendin.gov/lead> by downloading and submitting the RFQ package. Complete RFQ packages and instructions are available for free download on this web page towards the bottom.

Responses should be clearly marked "Lead Hazard Reduction Program Pre-Qualified Contractors RFQ" in the subject line of the email to which you have attached your Response. The name of the company/vendor, address, contact email address and phone number must be included in the body of the email, addressed to leadgrants@southbendin.gov. Detailed instructions and information are available at <http://www.southbendin.gov/lead>.

Contractors can contact Lisa Zakowski at lzakowski@southbendin.gov with questions about the program or the submission of required documents.

Responses must meet the RFQ Requirements. There is no scoring matrix for this RFQ. All lead contractors whose Response meet the Requirements will be placed onto the registry of pre-qualified lead contractors. The City reserves the right to review and audit all documents related to the Response and to request additional information as determined necessary. Failure to comply with the City's request may be deemed grounds for dismissing the Response.

Minimum Specifications:

Successful applications must be complete and meet the minimum specifications established by the City of South Bend. A completed application will include:

- a. Completed and signed Firm Qualifications Certification Form (Exhibit A)
- b. Copy of State of Indiana Abatement Contractor License
- c. Copy(s) of Lead Project Supervisor License(s) & Lead Worker License(s) of employees and subcontractors
- d. Copy of EPA approved Renovation, Repair and Painting certification
- e. Proof of Commercial General Liability Insurance per Person in the amount of \$50,000
- f. Proof of Commercial General Liability Insurance per Occurrence in the amount of \$1,000,000
- g. Proof of Worker's Compensation Insurance
- h. Signed W-9 Request for Taxpayer Identification Number and Certification form
- i. Signed and notarized Non-Collusion Affidavit (Exhibit B)
- j. Signed City of South Bend COVID-19 Policy (Exhibit C)

Program Conditions:

Successful applicants must agree to the following program conditions:

- a. Contractors shall agree to warranty all work, materials, and workmanship for a minimum of one (1) year.
- b. Each Contractor must have at least one licensed Lead Project Supervisor on site.
- c. All contractors paid \$3,500 or more through the Lead Hazard Reduction Program must be registered in the System for Award Management (SAM). No contract award may be made to parties listed on the government wide exclusion in SAM.
- d. Contractors must use lead-safe work practices per CDC and OSHA guidelines, rules, and regulations and Indiana state law.
- e. Clean-up should be conducted at the end of each workday, the end of each work shift or when workers are finished in one exterior work area and moving to another. Clean-up and lead waste disposal must adhere to local, state, and federal guidelines.
- f. All workers doing on-site work must be either a Licensed Lead Worker or Lead Project Supervisor.
- g. Payment is contingent on passing a clearance exam to ensure no lead hazards remain.
- h. Work must be completed within 10 days of receiving the notice to proceed unless an extension is approved by the City.

The successful applicants shall comply with the City's ordinance and all other federal, state, and local laws and regulations governing nondiscrimination in employment.

Registry of Pre-Qualified Lead Contractors Process:

1. Contractors must submit a completed application and all required documents to be considered for addition to the Registry.
2. The Registry of Pre-Qualified Lead Contractors will be maintained by the Lead Grant Program Manager in the Department of Community Investment (DCI).
3. DCI reserves the right to request additional information from prospective contractors in order to fully evaluate their pre-qualification.
4. In order to be approved for inclusion on the registry, a contractor must not be under investigation for criminal behavior by any State or Federal Agency.

5. The City reserves the right to reject any and all applications for Pre-Qualification, and refuse to include a contractor on the Registry if the City determines in its sole discretion that the Contractor lacks sufficient experience, financial strength, or technical expertise to perform the work under the City's Lead Hazard Reduction Grants, or has failed to comply with applicable statutes, ordinances, rules and regulations, or has failed to perform their work satisfactorily.
6. Contractors will be notified if they have been placed on the Registry following staff review of their Response.
7. The City will issue an RFQ for qualified lead contractors at least once every six months for the duration of the lead grants. Once a Contractor is added to the Registry, they can remain on it for the duration of the lead grants. The City may reach out to Contractors, from time to time, to confirm they are still interested in remaining on the Registry.
8. Contractors on the Registry must provide copies of licenses of any new employees or subcontractors that are hired by the Contractor, as well as ensuring all employees performing lead hazard control work maintain active Lead Project Supervisor or Lead Worker licenses (and provide the City copies if/when renewed).
9. At any point in time following the RFQ, a lead contractor may request to be placed on or deleted from the Registry of Pre-Qualified Lead Contractors. To be added to the Registry, lead contractors must submit a completed application and all supporting documents as outlined in this RFQ to the City of South Bend, Department of Community Investment.
10. Contractors on the Registry will be notified of opportunities to bid on Lead Hazard Reduction Program work. It is the responsibility of the contractor to submit a complete bid, by the established deadline, in order to be considered for the award of a contract. Work will be awarded to the lowest, responsive and responsible bid.
11. The City reserves the right to remove contractors from the Registry based on non-responsiveness, quality of work, repeated failures of post-work clearance examination, or failure to provide updated information as reasonably requested by the City.

City of South Bend
Lead Hazard Reduction Program Request for Proposals
Firm Qualifications Certification Form

**Company
Name:**

**Street
Address:**

City: _____ **State:** _____ **Zip Code:** _____

**Business
Owner's
Name:**

Phone: _____

Email:

1. Is applicant a Licensed Indiana Abatement Contractor? ☐ Yes ☐ No
If yes, provide a copy of license.
2. Will the applicant have at least one licensed Lead Project Supervisor on-site? ☐ Yes ☐ No
If yes, provide a copy of licenses of Lead Project Supervisor(s) and Lead Worker(s) for all employees or subcontractors who will be performing lead abatement work.
3. Is applicant an EPA approved Renovation, Repair and Painting certified firm? ☐ Yes ☐ No
If yes, provide a copy of certification.
4. Does applicant have required Commercial General Liability Insurance? ☐ Yes ☐ No
If yes, provide a copy of the Statement of Coverage. It must include a minimum coverage of per Person in the amount of \$50,000 and per Occurrence in the amount of \$1,000,000.
5. Does applicant have Worker's Compensation Insurance? ☐ Yes ☐ No
If yes, provide a copy of the Statement of Coverage.
6. Are you or any of your employees licensed to do electrical, heating or plumbing work in the City of South Bend? ☐ Yes ☐ No (If yes, provide name and license information below):

Name:	License Type:	License Number:

7. Is applicant registered, or willing to register, in the System for Award Management (SAM)?
- ☐ Yes, currently registered
- ☐ Not currently registered, but willing to complete (the City can provide a registration guide)
- ☐ Not registered, and will not complete
8. Please list any residential property owned solely or co-owned by you within the City of South Bend:

I certify that the answers provided are true and accurate to the best of my knowledge: ☐ Yes ☐ No

I understand that if placed on the Registry, I will receive notice of opportunities to bid on Lead Hazard Reduction Program work. And I understand that work will be awarded to the lowest, responsive and responsible bid: ☐ Yes ☐ No

I have read and agree to the minimum specifications and program conditions for participation in the Lead Hazard Reduction Program's Registry of Pre-Qualified Contractors. ☐ Yes ☐ No

Signature

Date

Name (Printed)

When the prospective Contractor is unable to certify to any of the statements below, it shall attach an explanation to this Affidavit.

**CONTRACTOR'S NON-COLLUSION AND NON-DEBARMENT AFFIDAVIT,
CERTIFICATION REGARDING INVESTMENT WITH IRAN, EMPLOYMENT ELIGIBILITY
VERIFICATION, NON-DISCRIMINATION COMMITMENT AND CERTIFICATION OF USE
OF UNITED STATES STEEL PRODUCTS OR FOUNDRY PRODUCTS**

(Must be completed for all quotes and bids. Please type or print)

STATE OF _____)
) SS:
_____ COUNTY)

The undersigned Contractor, being duly sworn upon his/her/its oath, affirms under the penalties of perjury that:

1. Contractor has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding. Contractor further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale; and
2. Contractor certifies by submission of this proposal that neither contractor nor any of its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency; and
3. Contractor has not, nor has any successor to, nor an affiliate of, Contractor, engaged in investment activities in Iran.
 - a. For purposes of this Certification, "Iran" means the government of Iran and any agency or instrumentality of Iran, or as otherwise defined at Ind. Code § 5-22-16.5-5, as amended from time-to-time.
 - b. As provided by Ind. Code § 5-22-16.5-8, as amended from time-to-time, a Contractor is engaged in investment activities in Iran if either:
 - i. Contractor, its successor or its affiliate, provides goods or services of twenty million dollars (\$20,000,000) or more in value in the energy sector of Iran; or
 - ii. Contractor, its successor or its affiliate, is a financial institution that extends twenty million dollars (\$20,000,000) or more in credit to another person for forty-five (45) days or more, if that person will (i) use the credit to provides goods and services in

the energy sector in Iran; and (ii) at the time the financial institution extends credit, is a person identified on list published by the Indiana Department of Administration.

4. Contractor does not knowingly employ or contract with an unauthorized alien, nor retain any employee or contract with a person that the Contractor subsequently learns is an unauthorized alien. Contractor agrees that he/she/it shall enroll in and verify the work eligibility status of all of Contractor's newly hired employees through the E-Verify Program as defined by I.C. 22-5-1.7-3. Contractor's documentation of enrollment and participation in the E-Verify Program is included and attached as part of this bid/quote; and

5. Contractor shall require his/her/its subcontractors performing work under this public contract to certify that the subcontractors do not knowingly employ or contract with an unauthorized alien, nor retain any employee or contract with a person that the subcontractor subsequently learns is an unauthorized alien, and that the subcontractor has enrolled in and is participating in the E-Verify Program. The Contractor agrees to maintain this certification throughout the term of the contract with the City of South Bend, and understands that the City may terminate the contract for default if the Contractor fails to cure a breach of this provision no later than thirty (30) days after being notified by the City.

6. Persons, partnerships, corporations, associations, or joint venturers awarded a contract by the City of South Bend through its agencies, boards, or commissions shall not discriminate against any employee or applicant for employment in the performance of a City contract with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because of race, sex, religion, color, national origin, ancestry, age, gender expression, gender identity, sexual orientation or disability that does not affect that person's ability to perform the work.

In awarding contracts for the purchase of work, labor, services, supplies, equipment, materials, or any combination of the foregoing including, but not limited to, public works contracts awarded under public bidding laws or other contracts in which public bids are not required by law, the City, its agencies, boards, or commissions may consider the Contractor's good faith efforts to obtain participation by those Contractors certified by the State of Indiana as a Minority Business ("MBE") or as a Women's Business Enterprise ("WBE") as a factor in determining the lowest, responsible, responsive bidder.

In no event shall persons or entities seeking the award of a City contract be required to award a subcontract to an MBE/WBE; however, it may not unlawfully discriminate against said WBE/MBE. A finding of a discriminatory practice by the City's MBE/WBE Utilization Board shall prohibit that person or entity from being awarded a City contract for a period of one (1) year from the date of such determination, and such determination may also be grounds for terminating the contract for which the discriminatory practice or noncompliance pertains.

7. The undersigned contractor agrees that the following nondiscrimination commitment shall be made a part of any contract which it may henceforth enter into with the City of South Bend, Indiana or any of its agencies, boards or commissions.

Contractor agrees not to discriminate against or intimidate any employee or applicant for employment in the performance of this contract with privileges of employment, or any matter directly or indirectly related to employment, because of race, religion, color, sex, gender expression, gender identity, sexual orientation, handicap, national origin or ancestry. Breach of this provision may be regarded as material breach of contract.

I, the undersigned bidder or agent as contractor on a public works project, understand my statutory obligations to the use of steel products or foundry products made in the United States (I.C. 5-16-8-1). I hereby certify that I and all subcontractors employed by me for this project will use steel products or foundry products made in the United States on this project if awarded. I understand I have an affirmative duty to notify the City in my bid that my proposal does not include the use of steel products or foundry products made in the United States. I understand it is my sole obligation and responsibility to provide a justification to the City, subject to review and approval, why the cost of United States made steel or foundry products is unreasonable. Prior to award and upon submission of bid which does not use steel products or foundry products made in the United States, the City, through its director of public works, shall make a determination if the price of United States made steel or foundry is unreasonable. I understand that violations hereunder may result in forfeiture of contractual payments.

I hereby affirm under the penalties of perjury that the facts and information contained in the foregoing bid for public works are true and correct.

Dated this _____ day of _____, 20

Contractor/Bidder (Firm)

Signature of Contractor/Bidder or Its Agent

Printed Name and Title

Subscribed and sworn to before me this _____ day of _____, 20

My Commission Expires _____

Notary Public

County of Residence _____

City of South Bend COVID-19 Policy

The City of South Bend (“the City”) requires contractors participating in the Lead Hazard Reduction Program to follow physical distancing requirements established by the CDC, as well as rules and regulations from OSHA. Contractors participating in the program are strongly encouraged to perform a self-health check prior to visiting any residences. Contractors with a temperature greater than 100.4°F or who has flu-like symptoms should not visit any City facility or any residence associated with the program. Contractors are required to wear a face mask that covers their mouths and noses in a home on the homeowner’s request or in a city facility if current policy or guidance requires it.

Any contractor who believes they have COVID-19, has tested positive for COVID-19, or has been told to quarantine by a medical provider agree to the following:

1. Notify the City as soon as possible when they find out they have (or suspect they have) COVID-19.
2. Refrain from working in any residence enrolled in the Lead Hazard Reduction Program until cleared by a medical provider.
3. Notify the City when they are cleared to return to work by a medical provider.

Additionally, the City strongly encourages any contractor who has tested positive for COVID-19 or has been told to quarantine by a medical provider to participate in contact tracing thru the Indiana State Department of Health.

I have read and agree to follow these requirements for a safe workplace during the COVID-19 pandemic.

Signature

Date