Lead Service Line Inventory Procurement Guidance

**Overview of the Service Line Inventory Process**

Lead Service Line Inventories have two major elements: a detailed records review and in-field verification.

Records Review

First and foremost the records review will determine the point at which the service line ownership transitions from public to private (the most common ownership boundary in Missouri is the meter).

From there the records review will evaluate construction records for homes and buildings, as-built plans and record drawings, system maps, meter or service line replacement records, local ordinances and building codes impacting the construction of service lines, and any other pertinent records. The goal of this review will be to determine which service lines are lead, not lead, or unknown.

In-Field Verification

The second portion is in-field verification. For all service lines labeled “unknown”, the grant recipient will need to verify the material of the line itself. EPA recommends three identification sites for each service line:

1. Three to four feet on the water system-owned side of the service line’s ownership boundary
2. Three to four feet past the ownership boundary on the customer’s side
3. In the home/building where the service line enters through the floor, basement wall or foundation.

For most systems, in-field verification will require potholing/excavation of the service line and visual inspection of the line. Other types of investigation may assist in the in-field verification efforts. These include CCTV, water quality sampling, predictive modeling, meter pit inspection, etc. Please note that these efforts alone, (without excavation and visual inspection) will likely not be sufficient to adequately survey the lines for most water systems.

Administrative Support

Most service line inventories also require various administrative support services. These may include completing the inventory spreadsheet, creating digital maps of service lines, outreach efforts with the public, attending board meetings, etc.

The culmination of both portions of the survey will be a completed inventory spreadsheet that specifies which lines are lead and which are not. The inventory must include all service lines connected to the public water system regardless of ownership status.

**Hiring a contractor**

Federal contracting rules dictate the process that DNR grant recipients must follow when hiring a contractor to complete a lead service line inventory project. Grant recipients will use the Request for Proposal (RFP) Process to hire a contractor to complete the inventory. In the RFP process, the grant recipient describes the services they need from a contractor, they advertise the request for those services, and then evaluate the contractors who respond. The RFP must request a price.

This process is only applicable to lead service line inventory programs. Stormwater, Drinking water, and Wastewater funding recipients will not follow this process for hiring contractors or engineers to work on their projects. Separate information will be provided to those funding recipients about contracting requirements.

The citation for the relevant federal rule is included below.

Federal Rule: 2 CFR 200.320(b)(2)(iv) and 2 CFR 200.321 at <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.320> and <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d/section-200.321>

**How To Conduct the RFP Process**

DNR has provided a template RFP for grant recipients to use when hiring a contractor. That RFP is composed of two items: the advertisement and the proposal itself. The advertisement is what the city or district should complete and publish in a local paper. The proposal itself will be provided to contractors who contact the city or district and request it.

Step 1: Complete the Template Advertisement and Proposal

The grant recipient should fill out or complete **ALL HIGHLIGHTED PORTIONS OF THE ADVERTISEMENT AND THE PROPOSAL.**

The grant recipient can choose to modify the RFP to fit their needs should they choose. This could include adding or removing items to the scope of work included in the proposal. If the grant recipient chooses to add items to the scope of work they will need to request a price for those items. Additionally, the grant recipient will need to account for how these additional costs will be evaluated in the award of the contract.

Each DNR funding program has developed a list of scope items that are either eligible or ineligible for reimbursement. Grant recipients can include ineligible tasks in their proposed scope of work and subsequent contracts as long as they pay for those tasks from non-grant funds. Ineligible tasks must be listed separately from eligible items and must come with a separate price. All invoices from the chosen contractor must clearly separate invoiced work that was done for eligible vs. ineligible tasks. Grant recipients who have questions about the eligibility of a specific task should contact the Financial Assistance Center (FAC). A list of eligible and ineligible Scope items are available at the end of this document in appendix 1.

Once the proposal and advertisement have been filled out, they should be sent to the DNR project manager for review prior to advertising.

Step 2: Advertise and Solicit

Once the DNR project manager approves the RFP the grant recipient should publish the advertisement in a local paper. They should also send the advertisement directly to contractors. Where possible this solicitation list should include contractors with DBE certifications. From the date the advertisement is published, grant recipients should allow at least 30 days until closing the solicitation period and the opening of proposals.

DNR maintains a list of contractors who provide LSL inventory services. It is available upon request from the grant recipient. The department does not specifically endorse any LSLI contractor and grant recipients are not obligated to hire a contractor on this list. This list is not comprehensive. Grant recipients are encouraged to solicit and consider proposals from as many qualified contractors as possible. Grant recipients should retain documents of all contractors that were solicited and those who responded to the advertisement.

Step 3: Evaluate Proposals

At the end of the solicitation period, the grant recipient should publically open and read all proposals that were submitted. The grant recipient should then evaluate the proposals and choose the one that is most advantageous for the city or district. In all cases, the grant recipient should follow the evaluation procedures in their proposal. In most instances, these procedures will dictate that the contract be awarded to the lowest cost proposal.

Step 4: Establish a formal Contract

Once the grant recipient has identified the contractor that they intend to award the contract to, they should draft a formal contract. Each DNR funding program has specific language requirements and forms that need to be incorporated into this contract. The grant recipient should reach out to the DNR project manager to make sure the grant recipient is aware of all grant program requirements that need to be incorporated into the contract. The draft contract should then be submitted to the DNR project manager for review prior to execution.

Once approved by the DNR Project manager, the grant recipient can execute the contract.

General Notes:

This is not an RFQ. The state law concerning engineering procurement does not apply to Lead Service Line Inventory work. Communities must request a price for the work itself. Grant recipients may decide to request qualifications in addition to price from potential contractors in the RFP. If grant recipients decide to include qualifications in the RFP they must state clearly how they will evaluate the qualifications that contractors include in their proposal.

If a potential contractor assists in the development of the RFP or scope of work, or assists or advises the grant recipient on the scoring process that contractor cannot submit a proposal and compete for the contract.

**Proposal Advertisement**

The City of \_\_\_\_\_\_\_\_\_\_\_, Missouri/District is requesting proposals for services to complete a lead service line inventory. The full scope of required services and proposal requirements are available at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (enter city hall or district address) or can be requested via email from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (enter name and email address of city employee). All proposals must mailed to and received at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (enter address of city hall or district office) by \_\_\_\_\_\_\_\_\_\_\_\_\_(enter date of opening). Late proposals will not be considered. Electronic proposals will not be considered. Proposals must be sealed and clearly labeled with the contractor’s name and address on the outside of the envelope. Conditional proposals will not be accepted. Proposals will be opened and read publically on \_\_\_\_\_\_\_\_\_\_(enter date of proposal opening). Funding for the project is through the Missouri Department of Natural Resources’ Financial Assistance Center and local sources.

The City of \_\_\_\_\_\_\_\_\_/District is an Equal Opportunity Employer and encourages disadvantaged business enterprises to submit proposals.

**Proposal**

Directions:

The City of \_\_\_\_\_\_\_\_\_\_\_, Missouri/District is requesting proposals for services to complete a lead service line inventory. The completed lead service line inventory spreadsheet should adhere to 40 CFR 141.84. The City/District has an estimated \_\_\_\_\_\_\_\_\_\_ service lines.

The City/District is requesting pricing for several services as part of this project: records review services, administrative services, and in-field verification services. The contractor must provide a price on the proposal form for each service requested. Proposals that fail to provide a price for all services will not be considered.

The contractor should be aware that they will be expected to complete forms required by the state funding agency. Additionally, there will be language requirements and forms from the state funding agency that will need to be incorporated into the final contract that is signed by the City/District and contractor.

**Proposal Form**

Records Review Services

The contractor will be expected to review available records to determine the presence, absence, or likelihood of lead in service lines. Records to review may include, but are not limited to:

* construction records
* building codes or ordinances
* as-built drawings
* record drawings
* system maps
* specifications from previous infrastructure projects
* construction contracts
* meter or service line replacement records

Assume \_\_\_\_\_ number of hours of review time.

Lump Sum Price for record review services: $\_\_\_\_\_\_\_\_\_\_\_\_\_

Administrative

The contractor will be expected to complete a number of administrative services including the following:

* Attending up to \_\_\_ board or council meetings to report on inventory progress
* Outreach efforts with the general public including drafting inventory-related documents to inform the public, disseminating door hangers, speaking with private home owners, etc.
* Assistance with preparing grant reimbursement requests.
* Creating GIS maps indicating location and details of surveyed service lines.
* Completion and Submission of the Missouri Department of Natural Resources Lead Service line Inventory Spreadsheet, by October 16, 2024 or sooner.

Lump Sum Price for administrative services: $\_\_\_\_\_\_\_\_\_\_\_\_\_

In-Field Verification

*Excavation*

The contractor will be expected to pothole/excavate (mechanical or vacuum) service lines to determine the material present. This includes excavating both the utility and homeowner’s side of the service line.

The contractor will take photos of the exposed pipe on either side of the service line and make those photos available to the city/district in digital format.

The city/district has \_\_\_\_\_\_\_ service lines. The exact number of service lines requiring in-field verification will not be known until after the records review is complete. For the purposes of this proposal, the contractor should assume \_\_\_\_\_\_\_ service lines will need to be excavated and verified in the field. The contractor is required to provide a unit price for excavating each service line (both the customer and the utility’s portions). This price will include full restoration of the excavation site.

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

The City/District reserves the right to request additional service line verifications up to the total number of lines in the city/district 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.

*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.

The contractor should assume that \_\_\_\_\_\_\_\_ service lines will require visual inspection. The contractor is required to provide a unit price for visually inspecting a service line.

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

The City/District reserves the right to request additional visual inspections up to the total number of lines in the city/district at the unit price provided in the proposal. The city/district 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.

Basis of Award

The city/district will award the contract to the lowest cost proposal. The total cost of the proposal will be the sum of the costs listed below.

1. Lump Sum Cost for Records Review Services: $\_\_\_\_\_\_\_\_\_
2. Lump Sum Cost for Administrative Services: $\_\_\_\_\_\_\_\_
3. Total cost for excavation: $\_\_\_\_\_\_\_ (calculated as the unit cost for excavation $\_\_\_\_\_\_ x \_\_\_\_\_\_\_ number of estimated service lines requiring excavation)
4. Total cost for visual inspection: $\_\_\_\_\_\_\_ (calculated as the unit cost for visual inspection $\_\_\_\_\_\_\_ x\_\_\_\_\_\_\_ number of estimated service lines requiring visual inspection)

Total cost of Proposal: $\_\_\_\_\_\_\_\_\_\_\_\_

Protests

Contractors who wish to protest the award of the contract will must follow the City/District’s established procedures for bid and proposal protests.

City/District should include their Protest Procedures here.

**Appendix 1: Eligible and Ineligible Scope items**

Eligible Scope of Work Items

* Review of available records including but not limited to: Construction records, building codes or ordinances, As-Built Drawings, Record Drawings, Specifications from previous infrastructure projects, construction contracts, meter or service line replacement records, etc.
* Creation of hardcopy or digital/GIS maps indicating the location of service lines and other relevant service line details.
* Subscriptions to GIS mapping services to access created LSL maps.
* Completion of the Missouri DNR lead service line inventory spreadsheet.
* Outreach efforts with the general public including drafting inventory-related documents to inform the public, disseminating door hangers, speaking with private home owners, etc.
* Potholing or excavating (mechanical or vacuum) service lines to determine the material present.
* Internal or external CCTV investigation of service line material. Including the cost of lead filters to mitigate issues from the disturbance of scaling on lead lines.
* Water Quality Sampling
* Predictive Modeling
* Visual inspection of service lines including inside a home or building.
* Attending limited board or council meetings to report on Inventory progress
* Assistance with preparing grant reimbursement requests.
* Costs related to publically posting or disseminating lead service line inventories as required by Federal Rule.

Ineligible Scope of Work Items

* Creation of system-wide maps that include the location of all distribution lines, water towers, treatment and source facilities, pumping stations, valves, hydrants, etc.
* Development of plans or specifications for the construction or replacement of lead service lines.
* Replacement of lead service lines or other lead appurtenances. (ARPA only, replacement of lead service lines is eligible for SRF funding).
* Work completed by Grant recipient employees or staff.