

CITY OF TUSCALOOSA, ALABAMA



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**REQUEST FOR PROPOSALS  
FOR NON-PROFIT MANAGEMENT OF LEAD ABATEMENT**

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OCA File Number: A20-1088

Issued by:

City of Tuscaloosa  
Office of Community & Neighborhood Services  
2201 University Boulevard  
Tuscaloosa, Alabama 35401

Date Issued: 1-8-21

Deadline for Proposals: 1-29-21

**LATE SUBMISSIONS WILL NOT BE ACCEPTED**

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## **PART 1 – OVERVIEW**

The City of Tuscaloosa is requesting proposals from qualified non-profit agencies to provide management of lead abatement contractors as part of the City of Tuscaloosa's Lead Hazard Abatement Program, managed by the City's Office of Community & Neighborhood Services. Part 2 of this RFP provides a general description and abbreviated scope of work for the project.

This is a procurement of a non-profit agency for management services, and will be conducted in a manner to provide full and open competition. A Selection Committee will review all proposals, and will rank non-profit Sub-Grantees based on criteria identified in Part 5. The criteria may include, but is not limited to, the proposal, non-profit agency qualifications, references, interviews, and other relevant information. Upon selection by the Selection Committee, the City will enter into negotiations with the successful Respondent. Pending successful negotiations, the successful Respondent will enter into a Contract for services with the City.

## PART 2 – THE PROJECT AND SCOPE OF WORK

The City of Tuscaloosa seeks the services of a non-profit agency that has the knowledge, experience and expertise to perform the services as requested.

The non-profit agency must be able to perform the following types of services upon request from the City:

Project Specific Requirements:

### 1. Grant-

<b>CITY OF TUSCALOOSA LHA GRANT PROGRAM</b>
1. Administration of HUD Lead-Based Paint Hazard Reduction grant funds and associated matching funds to address lead-based paint hazards and other housing needs to make units lead- safe;
2. Provision of a lead poisoning prevention program;
3. Conducting public and professional education and outreach;
4. Administration of EPA-authorized training, certification, and licensing program for lead professionals;
5. Enforcement of lead professionals and property owners in accordance with State and Federal regulations;

### 2. Overview:

The selected non-profit agency will procure and manage lead abatement contractors to perform lead abatement on residences which have been selected and inspected as part of the City's Lead Hazard Abatement Program.

### 3. Detail:

A. The non-profit agency will be required to be accredited with ADPH (the State of Alabama Department of Public Health) as a Lead Renovator or Abatement Non-profit Sub-Grantee.

B. The non-profit agency will be required to have experience working with Federal Grant money including HUD Programs.

C. The non-profit agency will be required to have experience managing residential construction projects.

D. The non-profit agency will be required to have experience with Income Requirements for intake and HUD environmental reviews.

### E. Programs Requirements

1. The non-profit agency will be required to follow the City of Tuscaloosa's Department of Community and Neighborhood Services (CNS) competitive procurement standards. There are four (4) allowable methods of procurement, depending on the type of goods or services being procured and who is doing the procurement. These are: 1) competitive sealed bids, 2) competitive negotiation, 3) small purchases, and 4) non-competitive and sole source purchases.

2. Lead hazard control funding repairs should be bid together and under one contract to minimize the amount of time for procurement and project completion.

3. No contract award may be made to parties listed on the government-wide exclusions in the System for Award Management (SAM) or Federal Awardee Performance and Integrity Information System (FAPIIS), in accordance with the OMB guidelines on debarment and suspension at 2 CFR part 180.2. Prompt Payments to Contractors must adhere to 2 CFR § 200.305, Payment: The Sub-Recipient must submit timely invoices to CNS in accordance with the contract provisions.

4. When the reimbursement method is used, CNS will make payments within 30 calendar days after receipt of the billing, unless the OLHCHH or sub-recipient believes the request to be improper (See 2 CFR § 200.53, Improper Payments). Note that, if non-federal laws or regulations applicable to a Non-Federal Entity specify a shorter prompt payment period, the Entity must comply with that shorter period.

5. Contractors must be approved by the CNS Lead Program Manager prior to entering into a contract with the Sub-Recipient. Sub-recipients and partners in conjunction with CNS will set up an eligible pool of contractors. Program information will be sent annually to all State of Alabama licensed lead-based paint professionals regarding the opportunity and requirements to be added to eligible contractor pools.

6. CNS policy on services by a Contractor:

A contractor may be a for-profit entity, a not-for profit or a municipal employee. A contractor may perform administrative or professional services as a stand-alone or in conjunction with other activities. The competitive negotiation method is recommended for all procurement of professional services.

7. Procurement Policy by Agency for Hazard Control contractors:

All construction contracts must be through the competitive sealed bid method, and thus, the pool of eligible lead hazard contractors must be determined through this method.

8. Competitive sealed bids are solicited through formal advertising, such as in the newspaper legal section. Agencies will be required to prepare a bidder's list (i.e. contractors' pool), to alleviate the publication requirement each time projects go out to bid. To create a bidders list, the sub-recipient must publish at least twice in a newspaper of general local circulation. The advertisements must be a least seven (7) days apart, with the second public and made at least seven (7) days before the deadline for submitting request to be placed on the bidder's list (public advertisement requirements are detailed under Indian Law I.C. 5-3-1-2(e)).

F. General Requirements:

1. The non-profit agency must comply with all applicable state, local, and federal regulations related to the services provided to the City. The City reserves the right, subject to negotiation and agreement, in writing, with the selected non-profit Sub-Grantee, to either expand or limit the scope of services as needed.

a. The selected non-profit agency will be required to have sufficient personnel to complete the tasks required by this scope of services. The selected non-profit agency will complete the required tasks in a timely and efficient manner. The selected non-profit agency would be expected to enter into a contract for services based upon the negotiated fee structure.

b. Basic Hazard Reduction Services. The essential function of the Hazard Reduction services are to identify conditions that may result in adverse human health effects from the following sources: deteriorated asbestos surfaces, presence of mold, deteriorated lead-based paint (LBP), interior dust-lead hazards, soil lead hazards, chewable surfaces, friction surfaces and impact surfaces, as defined by HUD and EPA; 2) to test surfaces and paint on surfaces that will be disturbed during the renovation and identify all hazards with sufficient detail to permit replication of sampling and/or testing effort, sketches or drawings of property with floor plan detailing all sample locations. Provide all necessary facilities, materials, supplies, equipment, supervision, and personnel and other items and services to perform the hazard evaluation services as defined in this RFP. These services must be in accordance with applicable work practice standards of the state (or EPA, if applicable) where the services are provided. When more than one regulatory provision applies to a condition or activity, the most stringent shall be used. The City reserves the right to request clarifications and revisions by the risk assessor, at no additional cost to the City. Applicable regulations are those that are in force when and where the lead evaluation is conducted, including, but not limited to:

U.S. Department of Housing and Urban Development (HUD): 24 CFR 35

U.S. Occupational Safety and Health Administration: 29 CFR 1926 and 29 CFR 2010

U.S. Environmental Protection Agency (EPA): 40 CFR 745

National Emissions Standards for Hazardous Air Pollutants

State regulations

Local regulations

#### G. Hold Harmless

The non-profit agency agrees to indemnify, hold harmless, and defend the City of Tuscaloosa, their officials, representatives, agents, servants, and employees from and against any and all claims, actions, lawsuits, damages, judgments, liability, and expense, including attorney's fees and litigation expenses, in whole or in part arising out of, connected with, or in any way associated with the activities of the non-profit or its employees in connection with the services to be performed under any agreement.

## **PART 3 – CONTENT OF PROPOSALS**

In order to facilitate the Selection Committee’s evaluation, each proposal should include the following content, in the following order:

- Cover Letter
- Table of Contents
- Executive Summary
- Status with ADPH Accreditation and other qualifications to do business
- Conflicts of Interest
- Background Information
- Non-profit Experience
- Project Understanding and Approach
- Project Team
- Quality Assurance and Quality Control

Each of these items is discussed in more detail in the following sections.

### **3.1 Cover Letter**

The primary purpose of the cover letter is to identify a representative of the Respondent non-profit agency who is authorized to answer questions about the Respondent’s proposal, and to negotiate a Professional Services Agreement (“PSA”) with the City. The cover letter should provide the name, title, telephone number, email address, and mailing address for the Respondent’s designated representative.

The cover letter must be signed by the Respondent’s designated representative, and shall serve as a certification that all of the statements and information in the Respondent’s proposal are true, correct, and accurate.

### **3.2 Table of Contents**

Please include a table of contents for the proposal and any attachments or appendices.

### **3.3 Executive Summary**

The executive summary should be a brief summary of the proposal’s key information, emphasizing the Respondent’s qualifications, experience, and approach and work plan. There is no minimum or maximum page limitation for the executive summary, however, it generally should be limited to two pages or less.

### **3.4 Status with ADPH Accreditation and other qualifications to do business**

Please include a brief statement that the Respondent non-profit agency is accredited with ADPH (the State of Alabama Department of Public Health) as a Lead Renovator or Abatement firm, legally

authorized to do business in Alabama and in the City of Tuscaloosa, and that all staff assigned to perform services for the project are licensed or certified to perform such services in Alabama.

In addition, please include a statement that the Respondent is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any state or federal department or agency.

Finally, for the five year period preceding submission of the proposal, please identify (1) all contracts terminated (in whole or in part) by clients or other agencies for convenience or default, including contract value, description of work, project owner, contract number, and name and telephone number for a representative of the project owner; (2) all claims made against the Respondent arising out of the Respondent's services; and (3) all litigation (including any arbitration or mediation proceedings) to which the Respondent has been a party.<sup>1</sup> If no contracts have been terminated, or if the Respondent has not been a party to any claims or litigation, please include a statement to that effect.

### **3.5 Conflicts of Interest**

Please identify all actual or potential conflicts of interest that would prevent the Respondent from entering into a professional relationship with the City generally, or for this project specifically.<sup>2</sup> If no such conflicts exist, please include a statement to that effect.

### **3.6 Background Information**

The background information should describe in general the Respondent's history and its experience in similar projects. It should also describe the Respondent's size, and identify management personnel.

The background information should also identify the location of the Respondent's home office or headquarters, and identify the location of the Respondent's office or offices where work and services for the City will be performed.

### **3.7 Non-profit Experience**

The proposal should identify at least three projects or studies which the Respondent Non-profit has completed within the last five years, which the Respondent believes are similar to the proposed project, or otherwise relevant to the project or services to be performed. For each project identified, please provide the following information:

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<sup>1</sup> The disclosure of terminated contracts, claims, or litigation will not automatically disqualify a Respondent from consideration. The Selection Committee will review any matter disclosed, and make an independent determination as to whether the matter should disqualify the Respondent from consideration.

<sup>2</sup> The disclosure of actual or potential conflicts of interest will not automatically disqualify a Respondent from consideration. The Selection Committee will review any actual or potential conflicts, and make an independent determination as to whether the conflict should disqualify the Respondent from consideration.

- Project title, owner, and location
- Client contact person, address, and phone number
- Respondent's project manager for the project
- Detailed description of the project and the services provided by the Respondent
- Year services were performed and date(s) of project construction
- Construction costs
- Respondent's fee for the project
- State whether the project was completed on time. If the project was not completed on time, please state how long the project extended beyond the scheduled completion date, and provide an explanation of why the project went beyond the scheduled completion date.

If the project description and abbreviated scope of work set out in Part 2 identifies this project as being funded in whole or in part by any federal or state grant program, please include projects the Respondent has completed which were funded under the same or substantially similar grant program.

### **3.8 Project Understanding and Approach**

The proposal should demonstrate the Respondent's understanding of the project, and describe the Respondent's proposed approach to the project and the activities to be accomplished. Please provide a proposed work plan which identifies project milestones (e.g., project elements, measures, and deliverables), and the Respondent's anticipated timeline for accomplishing each milestone.

### **3.9 Project Team**

Identify the project manager and key personnel who will be assigned to the project team. Describe the specific services that will be performed by the project team members, and how each team member's background and experience relates to their assigned role. In addition, please address the project team's ability to perform the required work within the Respondent's proposed timeline, in light of their current and projected workload and assignments. Please provide the location from which each of the team members will be working.

If the Respondent proposes to use subconsultants to perform any part of the work or services for the project, please provide the following information:

- The corporate or company name of each subconsultant, and names of the officer or principals of the subconsultant who will perform work on the project
- A description of each subconsultant's role, and the work or services to be performed
- A description of previous joint work between the Respondent and the subconsultant
- Particular experience of the subconsultant's key personnel, including past projects and resumes.
- If any proposed subconsultant is a minority-owned or woman-owned business, please include a statement to that effect.

### **3.10 Quality Assurance and Quality Control**

The proposal should describe how the responding Respondent will provide quality assurance (“QA”) and quality control (“QC”) for the project. Identify the individuals that will be involved in QA/QC services. If your non-profit Sub-Grantee has a structured QA/QC program, briefly describe the program and how it will be applied to the project.

## PART 4 – INSTRUCTIONS FOR PROPOSALS

Before submitting a proposal, the Respondent should carefully review the entire RFP and be familiar with its contents. Submission of a proposal shall be considered evidence that the Respondent has fully studied the RFP and is familiar with the general conditions to be encountered in performing any services.

### 4.1 Format of Proposals

Proposals shall be 8.5" x 11" in size. General brochure type information is to be kept to a minimum, and the proposal shall be a maximum of 20 one-sided pages or 10 two-sided pages. The cover letter, table of contents, and any appendix items (e.g., resumes for project team members or subconsultants) are not counted toward the page limit. Proposals may be written in either Times New Roman or Calibri font, and the font size must be 12-point or larger.

### 4.2 Inquiries

The City will accept inquiries on the contents and requirements of the RFP in written form only. Inquiries may be submitted by mail, fax, or email. Inquiries should be submitted to:

**Chip Cates, PG**  
**Program Manager, Lead Hazard Abatement Program**  
**Department of Community and Neighborhood Services**  
City of Tuscaloosa  
2201 University Boulevard  
Tuscaloosa, Alabama 35401  
**Phone: 205-248-5087**  
**ccates@tuscaloosa.com**

Inquiries must be submitted at least seven (7) days before the deadline for submission of proposals. **For this RFP, the deadline for inquiries is January 22, 2021 at 5:00 Central Standard Time, after which time no further inquiries will be addressed by the City.**

If the City chooses to respond to an inquiry, the City will do so in writing, in the form of an addendum to this RFP. The addendum will be sent to all recipients of the RFP, and will be posted to the City's website at [www.tuscaloosa.com/bids](http://www.tuscaloosa.com/bids).

Each addendum issued by the City shall become part of this RFP and proposals shall include any work or requirements described in the addendum. No addendum will be issued or posted less than 72 hours before the deadline for submission of proposals.

### 4.3 Submission of Proposals

**Proposals must be received by the City by 5:00 Central Standard Time on January 29, 2021.** Late proposals will not be accepted or reviewed. It is the Respondent's responsibility to ensure that the

proposal is submitted and received within the time required by this RFP. The City is not responsible for delayed or late deliveries due to mailing or delivery service.

Proposals should be clearly labeled with the OCA file number:

**OCA File Number: A20-1088**

Respondents must submit proposals electronically. Electronic submissions should be made in Portable Document Format (PDF) file format, and should be sent to via email to:

**lead@tuscaloosa.com**

The Respondent's email should reference the OCA file number listed above. The Respondent is responsible for obtaining confirmation that the City received the Respondent's proposal.

#### **4.4 Additional Items Related to Proposals**

##### **a. Proposal Rejection/Proposal Costs**

By issuing this RFP, the City does not commit to entering into a contract, to paying any costs incurred in the preparation of a proposal, or to procuring or contracting for services. The City reserves the right to cancel this RFP in whole or in part, to reject any and/or all proposals, to accept the proposal it considers the most favorable to the City's interests in its sole discretion, and to waive irregularities or informalities in any proposal or in the proposal procedures. The City reserves the right to reject all proposals and issue a new RFP, at its sole discretion. All proposals and other materials submitted in response to this RFP will become property of the City.

##### **b. Contract and Insurance Requirements**

The City has standard contract and insurance requirements for professional services contracts, and is unable to make substantial changes to the requirements for the contract to be used for this project. The laws of the State of Alabama shall govern the contract executed between the successful Consultant and the City, as well as any interpretations or constructions thereof. Further, the place of performance and transaction of business shall be deemed to be in the City of Tuscaloosa, Alabama, and in the event of litigation, the exclusive venue and place of jurisdiction shall be in the Tuscaloosa County, Alabama.

##### **c. Requests for Additional Information**

The City reserves the right to request additional information to clarify the proposals.

#### **4.05 Public Records**

Each Respondent is hereby informed that, upon submission of its proposal to the City in response to this RFP, the proposal becomes the property of the City.

Unless otherwise compelled by a court order, the City will not disclose any proposal while the City conducts its deliberative process in accordance with the procedures identified in this RFP. However, after the City either awards an agreement to a successful Consultant, or the City rejects all proposals, the City shall consider each proposal subject to the public disclosure requirements of the Alabama Open Records Act (Ala. Code § 36-12-40) and Tuscaloosa City Code § 2-4, unless there is a legal exception to public disclosure.

If a Respondent believes that any portion of its proposal is subject to a legal exception to public disclosure, the Respondent shall: (1) clearly mark the relevant portions of its proposal "Confidential"; (2) upon request from the City, identify the legal basis for exception from disclosure under the Open Records Act; and (3) defend, indemnify, and hold harmless the City regarding any claim by any third party for the public disclosure of the "Confidential" portion of the qualifications submittal.

**PART 5 – SELECTION PROCEDURE**

The City will use a Selection Committee of qualified City employees for the evaluation of proposals. This is a qualifications-based procurement for professional services, in which the qualifications of the responding Consultants will be reviewed and evaluated, and the most qualified non-profit Sub-Grantee will be selected, subject to negotiation of fair and reasonable compensation.

The Selection Committee will review the proposals submitted in response to this RFP, and rate the proposals based on the following grading system, which includes both numerical and pass/fail criteria:

<b><u>Numerically-Scored Criteria</u></b>	<b>Max. Points</b>
• Non-profit Sub-Grantee Experience	10
• Project Understanding and Approach	15
• Project Team	10
• Quality Assurance and Quality Control	15
<b><u>Pass/Fail Criteria</u></b>	
• Compliance with RFP Instructions	P/F
• Accreditation Standing	P/F
• Conflicts of Interest	P/F

The Selection Committee will eliminate from consideration any proposal which receives a “Fail” grade on any one or more of the pass/fail criteria for evaluation.

After review and evaluation of the proposals, the Selection Committee may select one or more Respondents for interviews. However, the Selection Committee is not required to conduct interviews. The Selection Committee may determine that interviews are not necessary for the selection process, and such decision is within the sole discretion of the Selection Committee.

When the Selection Committee concludes its work, it will make a recommendation to the City Council’s Community Development Committee or Public Projects Committee, and request authority to begin negotiating a PSA, including final scope of work and fees for services, with the successful Respondent.

Upon approval by the Community Development or Projects Committee, City staff will begin contract negotiations with the successful Respondent. If the negotiations are unsuccessful, or if an agreement cannot be reached within a reasonable time, as determined by the City, then City staff will terminate negotiations the non-profit Sub-Grantee, and will request authority from the Projects Committee to begin negotiations with another Respondent. Any compensation discussed with one Respondent will not be disclosed or discussed with any other Respondent.

Upon the conclusion of negotiations, the successful Respondent will enter into a PSA with the City. The PSA shall not be in force until it is approved by the Tuscaloosa City Council, and it is signed by the

Mayor. The City cannot pay for any work or services performed prior to the approval of the PSA by the City Council, and the issuance of a notice to proceed by the City.

Please note, this RFP does not guarantee that the City will make any contract award. The City reserves the right to modify, amend, or withdraw this RFP, in whole or in part, at any time and for any reason, in its sole discretion. The City also reserves the right to reject all proposals, in its sole discretion.