

CITY OF TUSCALOOSA )  
STATE OF ALABAMA )

**REQUEST FOR PROPOSALS**  
**(Lead Hazard Abatement Program)**

**TO: Qualified Firms**

**FROM: City of Tuscaloosa, AL**

**RE: Request for Proposals for NLLAP Certified Laboratory Analytical Services for Lead Paint Risk Assessment and Post Abatement Clearance Dust Wipe Samples**

**DATE: September 2, 2021**

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**Section 1. Introduction**

The purpose of this Request for Proposal (RFP) is to provide the City of Tuscaloosa’s Office of Community and Neighborhood Services Lead Hazard Abatement Program and property owners with information to help them manage and control lead-based paint hazards efficiently and effectively. The City is working under a grant from the Office of Lead Hazard Control and Healthy Homes to assess and abate over 200 residential units for lead based paint during the next three years. This RFP is a request for lead hazard reduction services which includes National Lead Laboratory Accreditation Program (NLLAP) certified environmental laboratory facilities to provide lead analytical testing services on lead abatement risk assessment and clearance dust wipes, as needed.

This is a Request for Proposals (“RFP”) containing information concerning the above-referenced matter, an abbreviated scope of work, and evaluation items. Firms expressing interest should be fully capable of providing the end results requested.

This is a procurement of professional services as more particularly described herein. This procurement will be conducted in a manner providing full and open competition consistent with the standards of 24 CFR § 85.36. To wit:

- a. Each firm’s experience and qualifications will be evaluated primarily as they relate to the firm’s ability to provide on an as needed, as requested basis, conduct NLLAP certified laboratory analyzation of lead abatement risk

assessment and clearance swipe samples from residential homes participating in the City of Tuscaloosa Lead Hazard Abatement Program.

- b. The City will make awards only to NLLAP certified labs possessing the ability to perform successfully under the terms and conditions of the procurement. Consideration will be given to such matters as firm integrity, compliance with public policy, record of past performance, and financial and technical resources.
- c. The City will require firms to be in possession of a Dun & Bradstreet (DUNS) number and have a complete and updated account with Sam.gov. Additionally, the City will require firms to execute a “Disbarment and Suspension Statement” certifying / verifying that the contractor is not suspended or disbarred or otherwise excluded under 2 CFR Section 408.220 of the government-wide non-procurement, disbursement and suspension list. This is a qualifications-based procurement of professional lead hazard reduction services whereby competitors’ qualifications will be evaluated and the most qualified firm will be selected, subject to negotiation of fair and reasonable compensation.
- d. Written proposals will be reviewed and rated by a panel of qualified City of Tuscaloosa employees. The rating system will consist of a numerical grading system and a pass/fail grading system, as set forth in Section 3. The City of Tuscaloosa may or may not elect to interview any of the responding firms.
- e. The City of Tuscaloosa has exclusive and sole discretion to determine the firm whose services will be most advantageous to the City of Tuscaloosa, and reserves the right to reject all firms.

The purpose of this inquiry is to determine the interest or non-interest and the qualifications of firms in providing the professional services required. A number of firms may be asked to express their interest in regard to these services. Following the receipt of proposals, a certain firm or firms may be selected for further consideration.

## **Section 2. General Scope of Services**

The City of Tuscaloosa seeks the services of a NLLAP certified lead assessment laboratory that has the knowledge, experience, and expertise to perform the services as requested.

The firm must be able to perform the following types of services upon request from the City:

On an as needed, as requested basis, conduct NLLAP certified laboratory analyzation of lead abatement risk assessment and clearance swipe samples in a timely manner and in accordance with HUD regulations including 24 CFR 35, U.S. Occupational Safety and Health Administration: 29 CFR 1926, U.S. Environmental Protection Agency (EPA): 40 CFR 745, State regulations, Local regulations determine which activities will require hazard controls and/or abatement activities and perform the same.

The firm 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 firm, to either expand or limit the scope of services as needed.

The selected firm will be required to have sufficient personnel and equipment to complete the tasks required by this scope of services. The selected firm will complete the required tasks in a timely and efficient manner.

The firm must be able to perform the following types of services upon request from the City:

1. On an as needed, as requested basis, conduct NLLAP certified laboratory analyzation of lead abatement risk assessment and clearance swipe samples in a timely manner. 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. 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

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

State regulations

Local regulations

### **Section 3. Firm Qualification and Proposal Requirements**

Firms interested in performing the work will be considered on the basis of a proposal containing information submitted in response to this request in a form limited to seven (7) pages in 12-point font or larger of either Times New Roman or Arial. Front and back shall be considered 2 pages.

#### **Inquiries**

The City will accept inquiries on the contents and requirements of the RFP in electronic form only. Inquiries may only be submitted by email. Inquiries should be submitted to: **lead@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 September 23, 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.

#### **Submission of Proposals**

**Proposals must be received by the City by 5:00 Central Standard Time on September 30, 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.

In order to reduce exposure of all parties during current Coronavirus (COVID-19) pandemic, **ONLY** electronic submittals will be received by the City of Tuscaloosa, Alabama, a Municipal Corporation, designated as the office of the awarding authority for this purpose via email at [lead@tuscaloosa.com](mailto:lead@tuscaloosa.com). Electronic submittals must be submitted in .pdf format to the City of Tuscaloosa., via email at [lead@tuscaloosa.com](mailto:lead@tuscaloosa.com) **BEFORE September 30, 2021 at 5:00 P.M. CST.** Please put **"ELECTRONIC SUBMITTAL FOR LEAD HAZARD ABATEMENT PROJECT LABORATORY**

**SERVICES (A21-1089)**” in the subject line of your email with your submittal attached to it.

The selected firm or firms must be experienced and qualified to provide the required scope of services. The firm or firms selected must have expertise related to the general Scope of Services set forth in Section 2. The following information must be submitted with the proposal on the date indicated above **in the order indicated below**:

- a. Recently Completed Projects. Evidence of satisfactory performance of at least three (3) recently completed projects of the type indicated above. Relevant experience will be judged on the basis of the experience of those individuals named to the firm’s project team for this project. Provide at least three (3) references.
- b. Experience and Qualifications. A statement of the firm’s qualifications to perform the work and years in business. The statement should include the following:
  1. The general experience of the firm analyzing RCRA metal samples. (15 points possible)
  2. The specific experience of the proposed personnel in the fields that the proposed services are requested, their qualifications, years of experience, professional certifications and availability to perform the work and services to be provided. (15 points possible)
  3. A statement of sufficiency of current personnel complete the project. (5 points possible)
  4. A statement of the firm’s policies regarding quality assurance and controls. (10 points possible)
  5. A statement as to whether the firm or any subcontractors are a minority or woman owned business enterprise. (5 points possible)
  6. The shipping policy the Respondent uses and estimated shipping expenses. (pass/fail)

7. A statement as to professional standing including any pending controversies outstanding. If none exists, such a statement should be made. (pass/fail)

8. A list of qualified persons in other disciplines required for the proposed services to be acquired from outside sources, if applicable. (pass/fail)

c. Please include a statement as to potential general conflicts of interest that would prevent the City of Tuscaloosa from entering into an agreement with your firm pursuant to this RFP. If none exists, such a statement should be made. (pass/fail)

d. Firm must be licensed and approved for work in the State of Alabama. (pass/fail).

Please include a brief statement confirming that the Respondent is 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 confirming 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 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 professional 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.

e. Firm must be certified by NLLAP to perform lead swipe sample analysis. (pass/fail)

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

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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.

**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.

**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.