

CK09MERCER2009-17 LEAD EVALUATION CONTRACTORS	
RFP RESULTS	
June 30, 2009	
CONTRACT PERIOD: SEPTEMBER 11, 2009 - SEPTEMBER 10, 2010	
	RESOLUTION # 2009-435
NAME OF BIDDER	LEW CORPORATION
ADDRESS	1090 BRISTOL ROAD
CITY, STATE, ZIP	MOUNTAINSIDE, NJ 07092
CONTACT	DAVID SANG
TELEPHONE	908 654 8068
FAX	908 654 8069
WEBSITE OR E-MAIL	DSANG2LEWCORP.COM
EXTEND TO COOP	<u>YES</u>
LEAD EVALUATION LICENSE	INCLUDED
HOME IMPROVEMENT CONTRACTOR REGISTRATION	13VH00869200
AFFIRMATIVE ACTION EIC	21276 EXPIRES 6/15/10
STOCKHOLDER DISCLOSURE	X
NEW JERSEY BUSINESS REGISTRATION	X
THREE REFERENCES	INCLUDED
COST PER INSPECTION	395.00
HOURLY RATE FOR PROJECT DESIGN	85.00
TOTAL FOR TEN HOURS	850.00
FLAT RATE FOR CLEARANCE	360.00
GRAND TOTAL	1,605.00
EXCEPTIONS	REFER TO PROPOSAL PAGE
FATAL FLAW	NO

REQUEST FOR BID FOR LICENSED LEAD EVALUATION CONTRACTORS

BACKGROUND

The County of Mercer is seeking bids from licensed companies to provide lead evaluation services for Mercer County residences for the Mercer County Office of Housing and Community Development programs. All lead evaluation contractors must be licensed by the New Jersey Department of Community Affairs (DCA), therefore only those contractors licensed to perform residential lead evaluations shall respond to this request for bid. Due to regulations dealing with lead-based paint that affect federally funded housing programs, it is necessary for the County to identify qualified contractors to provide the following services:

- Inspection/Risk Assessment
- Project Design
- Project Monitoring
- Clearance Testing

The particular requirements for each of the above services are described in detail in the Scope of Work section of this request. The contractor must possess certification by the New Jersey Department of Health and have the capacity to fully support the projected needs of the County's housing programs. The County administers the Single Family Housing Rehabilitation Program, **Weatherization Assistance Program**, and First Time Home Buyers Program. These programs are described in detail in the County of Mercer Housing Programs section of this request.

The County seeks to maintain a system-wide lead-based paint inspection and abatement program that satisfies the requirements of the Residential Lead- Based Hazard Reduction Act of 1992 and Title X of the Housing and Community Development Act of 1992, the new regulation can be found in the Code of Federal Regulations at Title 24, Part 35 (24 CFR 35).

SCOPE OF WORK

The County of Mercer is soliciting a contractor to provide lead-based paint evaluation services as described below. **The Contractor shall provide the initial Inspection and risk assessment evaluation and drawings**, and depending upon results of that initial review and assessment, may additionally provide project design, specifications, monitoring and clearance testing (if required).

INSPECTOR/RISK ASSESSOR

The inspector/risk assessor will provide lead-based paint inspections and/or risk assessments for single family and/or multifamily residential properties as requested by The County of Mercer. All subject properties will be located within the County of Mercer and will require lead hazard evaluation as part of home improvement rehabilitation activities. Lead-based paint inspections and risk assessments must be performed so as to satisfy requirements of Title X of the Community and Development Act of 1992 and must be conducted in compliance with all Federal, State, and local laws.

INSPECTOR/RISK ASSESSOR (continued)

Prior to an inspection or risk assessment, the contractor will be given a scope of work for general home improvement rehabilitation activities. The contractor shall be responsible for insuring that areas most likely to be impacted by the proposed activities shall be addressed in the inspection/risk assessment.

The County **acknowledges that inspectors will use** X-ray fluorescence (XRF) instruments in conducting inspections and will require that all equipment be calibrated and operated in compliance with the instrument's performance characteristics sheet and with applicable laws. Samples will be collected and evaluated in compliance with Federal and State requirements **and** whenever possible, samples will be collected from deteriorated paint in discrete locations.

The contractor must respond to the Department of Housing within **72** hours from notification for a lead-based paint inspection and risk assessment. The inspector will be given the name and telephone number of the responsible party. It will be the responsibility of the contractor to arrange a mutually convenient time for the inspection; however, the contractor must perform the assessment within **14 days**. The contractor will be expected to provide all instruments, tools, and supplies to complete the assignment and submit to the County within seven business days of an inspection a report containing the following information

- Date of inspection/risk assessment.
- Inspector's name and New Jersey **DCA license** number.
- Property description and accompanying floor plan.
- Testing/assessment protocol used and a brief explanation of any variance from standard practices.
- Any observations relative to positive test results that may affect the home improvement rehabilitation scope of work.
- Field data for all test results showing relative location to the floor plan, the component, substrate, paint condition, and test results.
- **If positive for lead, recommendation for remediation or abatement (if required).**

PROJECT DESIGN (IF REQUIRED)

The Contractor shall determine a lead hazard reduction or abatement strategy. The contractor will design a contractor scope of work addressing all affected building components and conform to the County's determination of the proper threshold of lead hazard reduction or abatement.

Written specifications shall be submitted by the contractor to the County for review within 14 calendar days after a completed inspection. The specifications will contain the following information:

- Requirements for hazard containment.
- Requirements for resident and worker protection.

- Contractor scope of work addressing each identified lead hazard component.
- Lead hazard control methods and requirements.
- Waste disposal requirements.
- Unit clearance examination requirements.

The contractor will **advise on** abatement contractor proposals and attend pre-construction meetings. The contractor will be expected to notify the County of any potential regulatory or specification violation by the selected contractor that become evident prior to the commencement of lead hazard reduction activities. For this reason, the contractor must be familiar with and abide by all applicable Federal, State, and local laws, including the Residential Lead-Based Hazard Reduction Act of 1992, Title X of the Housing and Community Development Act of 1992.

PROJECT MONITORING (IF REQUIRED)

The contractor shall conduct site visits before, during, and after the lead-based paint abatement activities as directed by the County in order to ensure compliance with all applicable Federal, State, and local laws. The contractor will monitor contractor work quality and evaluate the completeness of abatement activities.

The contractor will be responsible for periodically surveying the regulated area from inside and outside the isolation barriers and immediately notify the contractor of indications of breaches in containment. The contractor will additionally be responsible for monitoring storage and supervising disposal of hazardous waste. The County will expect to be notified by the contractor of any potential regulatory or specification violations that become evident through such monitoring activities.

The contractor will maintain a dedicated site-specific field log for all project activities. Entries will be made for every day that monitoring activities take place and should contain sufficient notes to enable the County to understand conversations, instructions, and other activities that took place at the work site.

The contractor will submit to the County a close-out report **within 7 days of project completion** certifying that the project complied with all applicable Federal, State, and local laws. The closeout report shall, at the minimum, include the following:

- Summary of construction activities completed.
- Project-related paperwork (logs, air/wipe sample data, laboratory reports, hazardous waste manifests, and correspondence).
- Conclusions and recommendations.
- Certification that the project complied with Federal, State, and local lead-based paint requirements.

CLEARANCE TESTING

Clearance sampling will occur in two phases: visual examination and environmental sampling (dust wipe clearance sampling).

Upon completion of lead abatement activities, the contractor shall provide clearance testing. If dust is observed during the course of the visual inspection, the contractor **performing the remediation, abatement or rehabilitation work** will be required to repeat the cleaning process. An inspection will be performed in each room.

Either single surface sampling or composite sampling may be utilized at the discretion of the clearance tester based on the professional judgment of the inspector and the type of abatement activity that was performed.

If exterior lead abatement reduction has been performed, the clearance tester will collect soil samples around the foundation of the property where activities occurred. In addition, any nearby play areas for children should also be tested.

All dust and soil samples collected will be evaluated for lead hazards as set forth by Federal and State law. Clearance samples must be analyzed by an accredited laboratory as selected by the contractor, and sample results should be made available to the County within 72 hours of submission to the laboratory for analysis. The clearance tester must be familiar with and abide by all applicable Federal, State, and local laws including Residential Lead-Based Hazard Reduction Act of 1992, Title X of the Housing and Community Development Act of 1992.

COUNTY OF MERCER

The County intends to use lead-based paint contractor services for the housing programs described below. The program information provided herein is intended to help applicants better understand the County's particular needs and to assist with developing fee schedules. The information is not necessarily guaranteed, as number of loan applicants to the County and numbers related to other housing programs are driven by market conditions and are not controlled by the County.

SINGLE FAMILY HOUSING REHABILITATION LOAN PROGRAM

The County contemplates providing home improvement loans to at least 15 homeowners per year. This program is available to eligible owners of single family homes, mobile homes, condos, and town homes, all of which are affected by State and Federal lead-based paint regulations. Currently, loans range between \$15,000 and \$25,000 and may be used for general home improvement projects. These loan amounts may be increased in the near future to address the high cost of rehabilitation and abatement work. Should lead paint hazards be found in property assisted by the County, remediation activities will be required as specified by law. Grants are available for low income families facing high, unexpected lead base paint abatement costs.

FIRST-TIME HOMEBUYER LOAN PROGRAM

The County First-Time Homebuyer Program (FTHB) provides loans for down payment and closing cost assistance to eligible first-time homebuyers who purchase a single family home, condo, town home etc. The County is required to conduct a visual inspection for defective paint surfaces in all units. Where flaking, peeling, chipping or cracking painted surfaces exist, in houses built prior to 1978, remediation will be required utilizing safe work practices as

required by the Environmental Protection Agency (EPA) and the Housing and Urban Development (HUD). All health, safety and paint deficiencies will be required to be corrected prior to transfer of title.

WEATHERIZATION ASSISTANCE PROGRAM

The County anticipates a potential need for lead evaluation services within the County's Weatherization Assistance Program (WAP). WAP is a program that provides cost-effective energy efficiency measures and improvements for existing residential and multi-family housing units. The program includes a wide variety of energy efficiency measures and improvements that encompass the building envelope, its heating and cooling systems, its electrical system, and electric consuming appliances. The County may chose to engage in necessary measures and improvements that would require lead evaluation services.

HOUSING PRODUCTION PROGRAM

The County administers a Housing Production Program in partnership with non-profit and for-profit housing developers whereby multi-family properties are purchased and substantially rehabilitated. The County anticipates initiating at a maximum two (2) projects per year for properties ranging in size from three (3) units to ten (10) units. It is likely that lead based paint inspections and abatement measures may be utilized on projects of this type.

METHODOLOGY

Provide the methodology for providing the following services:

- Inspection/Risk Assessment
- Project Design
- Project Monitoring
- Clearance Testing

BID REQUIREMENTS (SUBMIT THE FOLLOWING WITH YOUR BID PROPOSAL)

1. Provide a list of individuals responsible for this contract.
2. Provide a copy with your bid proposal of your license as a certified Lead Evaluation Contractor as required through the New Jersey Department of Community Affairs and a copy of your Home Improvement Contractor Registration as issued through the Department of Consumer Affairs.
3. A summary of your firm's demonstrated capability, including length of time that your firm has provided the services being requested in this Request for Bid.
4. Provide three references that received similar services from your firm. The County reserves the right to contact any of the organizations or individuals listed. Information provided shall include:
Client Name
Project Description
Project start and end dates
Client project manager name, telephone number, and email address

5. A sample of your company's lead-based paint inspection/risk assessment report with your bid proposal.

FEE SCHEDULE

Flat rate for combination lead-based paint inspection and risk assessment (including visual assessment and cost effective treatments).

Hourly Rate for Project design/abatement specifications (if necessary) and project monitoring (if necessary). Base on approximately 10 hours; however, the county will pay for actual services per project.

Flat rate for Clearance – for site visit and laboratory samples.

INSURANCE REQUIREMENTS AND AS REQUIRED ON PAGE 27

County of Mercer requires submittal of certificates of insurance evidencing the following minimum limits with a County admitted carrier with a current A.M. Best's Rating of no less than A: VII:

Minimum Limits of Insurance

Errors and Omissions (Professionally) liability: Minimum of \$1,000,000 per occurrence and in the aggregate.

Claims made policies are acceptable if the policy further provides that:

The policy retroactive date coincides with or precedes the professional services contractor's start of work (including subsequent policies purchased as renewals or replacements).

The professional services contractor will make every effort to maintain similar insurance during the required extended period of coverage following project completion, including the requirement of adding all additional insured.

If insurance is terminated for any reason, professional services contractor agrees to purchase an extended reporting provision of at least two (2) years to report claims arising from work performed in connection with this agreement or permit.

The reporting of circumstances or incidents that might give rise to further claims.

Deductibles, Self-Insured Retentions, or Similar Forms of Coverage Limitations or Modifications

Any deductible, self-insured retentions or similar forms of coverage limitations or modifications, must be approved by the Risk Manager and the County of Mercer. NOTE: Waivers and/or modifications are discouraged and will be considered only under extraordinary circumstances.

Description of Work to be Performed

The staff contact and purpose of the evidence of coverage must be identified.