

LEAD RFQ QUESTIONS RESPONSES 6-2-2023

1. *What exactly is meant by this statement?*

4.14 Contract Deliverables and Payment: "The contractor shall be expected to schedule each Risk Assessment Inspection within 5 business days of the NTP and shall be expected to perform each inspection no later than 3 weeks from the NTP." Is that implying that we need to have the date scheduled 5 days, but do not necessarily have to perform the inspection/risk assessment for 3 weeks?

REPLY: The Risk assessor must reach out to schedule the assessment appointment within 5 business days of receiving the assignment. When scheduling the assignment, they need to be made as soon as practical given the assessor's schedule but setting the appointment beyond 3 weeks from receiving the assignment is unacceptable.

2. *Is it expected that the projects will come in one-by-one or will groupings of homes be provided?*

REPLY: due to the nature of the Program, assignments may be assigned on a one by one basis, or in small groups. The throughput will be dependent on factors that we cannot control at this time.

3. *The Request for Bid (RFB) mentions a contract task called Interim Clearance Report. It is not specific as to what the Interim Clearance actually is for this procurement. The RFB does not state how it differs from the Final Lead Clearance Report, if at all. Please can you specify how it differs and what it includes, so that we may estimate and propose a price for it.*

REPLY: We anticipate that all homes constructed prior to 1978 will require a Risk Assessment and a Final Clearance after construction is complete. Some projects may require an interim clearance during the construction phase after a lead abatement activity but prior to construction completion. This clearance will be to establish safe working conditions for the project post Lead abatement. We anticipate that this will be normally handled by the general contractor, however there may be a need for the Program to assign this task on a limited basis.

4. *Section 1.1 mentions preparation of management reports. Is that the service described in Section 4.5?*

REPLY: Please refer to section 4.5 in the RFQ and your Terms and Conditions Exhibit A which addresses reporting and monitoring requirements.

5. *Can additional clarity be provided in the deliverables required to comply with Section 4.5? What is the State's expectation of time required in fulfillment of this section? Should this be considered a substantial time commitment that needs to be accounted for in the pricing structure?*

REPLY: Please refer to section 5.0 General Contract Terms for time requirement and Section 5.1 for Contract Term and Extension Option.

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6. *Does the State expect to provide more than \$25,000 in rehabilitation assistance to any one property, which would trigger lead-based paint abatement under 24 CFR 35.930(d) and NJ post-abatement clearance (NJAC 5:17-9.1)? The increase in required dust wipe samples for post-abatement clearance will impact interim and clearance pricing structure. If this amount of assistance will be provided, does the State have an estimated number or percentage of homes receiving this amount?*

REPLY: We anticipate that many projects will require post abatement (interim) clearance. For most projects we anticipate that this activity will be arranged and coordinated by the general contractor on the job as part of their scope of work. This is due to the need for the interim clearance activity to fit within the general contractor's overall construction schedule. We do anticipate that there may be limited cases where the risk assessors within this procurement will be tasked to perform an interim clearance when the Program deems it necessary to successfully complete the project. Please provide unit pricing that will be used as the basis to price an interim clearance if requested.

7. *Section 4.3.1 states "At the completion of construction for each property that had a positive finding of lead, the Contractor shall perform a whole house Lead Clearance Inspection in compliance with NJAC 5:17-3.2, 5:17-3.4, and 5:17-3.6." Is the State implying that this section requires post-abatement clearance per 5:17-9.1 even though sections 3.2, 3.4 and 3.6 are referenced? Or is HUD/EPA clearance acceptable for those where abatement does not occur as it differs from NJ 5:17-91 in number of rooms where dust wipe samples are to be collected?*

REPLY: We require all final clearances to be conducted in compliance with the higher standard, regardless of the type of lead related scope or activity performed during construction.

8. *Does the State plan on also performing asbestos surveys as was done during the Superstorm Sandy Recovery programs?*

REPLY: We do not anticipate conducting Asbestos surveys for these programs.

9. *Waiver Supplement to Standard Terms and Conditions, Page 10-11, B2-Insurance for SAAS Is Cyber Breach Insurance required prior to submittal?*

Reply: Per the Supplement to the Standard Ts&Cs, this is a required insurance. Do we typically require proof of insurance at time of submittable? If so, then yes.

10. *Standard Terms and conditions-3.2-3.4 - Is NJ DOL Public Works Certificate required?*

Reply: The New Jersey Public Works Contractor Registration Act requires all contractors, subcontractors and lower tier subcontractor(s) who engage in any contract for public work as defined in N.J.S.A. 34:11-56.26 be first registered with the New Jersey Department of Labor and Workforce Development pursuant to N.J.S.A. 34:11-56.51.

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11. *Bid Solicitation Ida Lead Service Final, Page 10 3.17- B - Financial Capability of the Bidder Is GAAP required with submittal?*

Reply: Certified financial statement (audited or reviewed) is required at time of submittal.

12. *Disclosure of Non-Involvement in Prohibited Activities in Russia or Belarus Form Form is asking for a contract number- Is there a contract number provided in RFQ?*

Reply: No contract number provided for this RFQ. DPAs are intended for purchases that are not currently covered by a State contract, if a good or service is provided under a State Contract that contract must be used.

13. *Subcontractor Utilization Forms: Is the Laboratory for Analysis considered a subcontractor?*

Reply: Yes, Subcontractor – An entity having an arrangement with a Contractor, whereby the Contractor uses the products and/or services of that entity to fulfill some of its obligations under its State Contract, while retaining full responsibility for the performance of all Contractor's obligations under the Contract, including payment to the Subcontractor. The Subcontractor has no legal relationship with the State, only with the Contractor.

14. *Are Labs considered subconsultants?*

Reply: See answer to question 13 above.

15. *What qualifications are needed for the Labs?*

Reply: Per N.J.A.C. 5:17-3.3 : (b) All laboratories which process or evaluate samples shall be recognized under the USEPA National Lead Laboratory Accreditation Program (NLLAP) or an equivalent independent national accreditation program, to analyze lead in paint, dust and soil samples.

Please refer to: § 5:17-3.3 Certification to perform evaluation services; standards (a) All evaluation and testing for lead-based paint hazards shall be conducted by inspector/risk assessors trained as per N.J.A.C. 8:62 and certified pursuant to these regulations. 1. For lead hazard abatement performed in response to an evaluation done in connection with a lease or transfer of real estate subject to the Federal Requirements for Disclosure of Known Lead Based Paint and/or Lead Based Paint Hazards in Housing (24 C.F.R. Part 38 and 40 C.F.R. Part 745), the clearance testing shall be performed by the same contractor that performed the initial evaluation or by another evaluation contractor of the buyer's choice. (b) All laboratories which process or evaluate samples shall be recognized under the USEPA National Lead Laboratory Accreditation Program (NLLAP) or an equivalent independent national accreditation program, to analyze lead in paint, dust and soil samples. (c) The contractor shall allow the Department access to the job site at any time while evaluation is ongoing. The contractor shall also make available to the Department,

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upon request, any documentation relevant to the job. The Department of Health and Senior Services shall be accorded the same access to job sites and documentation in administering its enforcement responsibilities.

(This is also available in RFQ Supplemental Documents – Ida Lead Assessment and Clearance – Lead Hazard Evaluation and Abatement Code within the RFQ)

16. Is lab cost included in unit price?

REPLY: All costs including Lab costs shall be included in the unit pricing.