



CITY OF PROVIDENCE, RHODE ISLAND

Department: Providence Water Supply Board

RFP Title: Accelerated Lead Service Line Replacement Contract 1.4 (Exp. 12-13-2025)

Opening Date: 06/17/2024

Addendum #: 4

Issue Date: 05/20/2024

The purpose of this addendum is to extend the bid opening date from Monday June 3, 2024, to Monday June 17, 2024 and to provide additional information for the RFP.



ADDENDUM NO. 4

TO: ALL CONTRACT DOCUMENT HOLDERS OF RECORD
ALL PROSPECTIVE BIDDERS

FROM: PROVIDENCE WATER
125 DUPONT DRIVE
PROVIDENCE, RHODE ISLAND 02907
PHONE: (401) 521-6300

DATE ISSUED: MONDAY, MAY 20, 2024

RE: ACCELERATED LEAD SERVICE LINE REPLACEMENT PROGRAM –
CONTRACT 1.4
CONTRACT NO. 20234

BID OPENING DATE: MONDAY, JUNE 17, 2024 AT 2:15 PM

BID OPENING LOCATION: BOARD OF CONTRACT AND SUPPLY MEETING
CITY COUNCIL CHAMBERS
PROVIDENCE CITY HALL
25 DORRANCE STREET
PROVIDENCE, RHODE ISLAND 02903

LAST WRITTEN QUESTIONS DUE: FRIDAY, JUNE 7, 2024

This Addendum No. 4, including all referenced attachments, modifies, amends, and supplements designated parts of the Contract Documents to the above-referenced project and shall be part of the Contract Documents as provided in the “Instructions to Bidders” for the above-referenced project.

Acknowledge receipt of this Addendum by inserting its number and date on page 00 41 00 – 1 of the Bid Form. Failure to do so may subject the Bidder to disqualification.

The Contract Documents are hereby modified, amended, and supplemented as follows:

ATTACHMENTS

The following attachments are included with this Addendum:

1. Specification 00 10 00 BOCS Terms and Requirements Page 7 (Bid Form 1)
2. RI General Law Title 23 Health and Safety Chapter 24.6 Lead Poisoning Prevention Act

SPECIFICATIONS

1. SPECIFICATION 00 10 00 – BOCS TERMS AND REQUIREMENTS:

- a. **DELETE** “2:15 P.M. 6/3/2024” from “Date to be Opened” on Page 1 and **REPLACE** with “2:15 P.M. ON 6/17/2024”.
- b. **DELETE** “5/24/2024” from “Deadline for questions submissions” on Page 2 and **REPLACE** with “6/7/2024”.
- c. **DELETE** “Meeting Date: 6/3/2024” from Page 3 and **REPLACE** with “Meeting Date: 6/17/2024”.
- d. **REPLACE** page 7 (**Bid Form 1**) of Specification 00 10 00 with Attachment 1.

2. SPECIFICATION 00 21 13 – INSTRUCTIONS TO BIDDERS: ADD the following immediately after Paragraph 12.4:

“12.5 This Contract is subject to the requirements of Rhode Island’s Title 23 Health and Safety Chapter 24.6 – Lead Poisoning Prevention Act. Refer to “Relevant Federal and State Laws Applicable to Drinking Water State Revolving Fund Programs” included in Appendix T within these Specifications.”

3. SPECIFICATION 00 73 00 – SUPPLEMENTARY CONDITIONS: ADD a new Paragraph 2.3 as follows and renumber the succeeding paragraphs:

“2.3 State of Rhode Island General Laws Chapter 24.6

The Contractor’s attention is specifically called to the provisions of Rhode Island General Law Chapter 24.6, as amended. The Contractor shall fully adhere to all provisions of the latest revision of this Chapter. Appending the referenced Sections of this Chapter of the State of Rhode Island General Laws shall in not way limit the responsibilities of the CONTRACTOR to comply with this and all other applicable Federal, State, and local laws. The CONTRACTOR shall verify that they comply with the latest version of this and all other such applicable laws.”

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4. **APPENDIX T – RELEVANT FEDERAL AND STATE LAWS APPLICABLE TO THE DRINKING WATER STATE REVOLVING FUND PROGRAM: ADD** Attachment 2 after the last page of Appendix T.

-END OF ADDENDUM NO. 4-

ATTACHMENT 1



**BOARD OF CONTRACT AND SUPPLY
CITY OF PROVIDENCE, RHODE ISLAND**

BID FORM 1: Bidders Blank

1. Bids must meet the attached specifications. Any exceptions or modifications must be noted and fully explained.
2. Bidder's responses must be in ink or typewritten, and all blanks on the bid form should be completed.
3. The price or prices proposed should be stated both in **WRITING** and in **FIGURES**, and any proposal not so stated may be rejected. **Contracts exceeding twelve months must specify annual costs for each year.**
4. Bids **SHOULD BE TOTALED** so that the final cost is clearly stated (unless submitting a unit price bid), however **each item should be priced individually**. Do not group items. Awards may be made on the basis of *total* bid or by *individual items*.
5. All bids **MUST BE SIGNED IN INK.**

Name of Bidder (Firm or Individual): _____

Contact Name: _____

Business Address: _____

Business Phone #: _____

Contact Email Address: _____

Agrees to bid on (Write the "Item Description" here): **ACCELERATED LEAD SERVICE LINE REPLACEMENT PROGRAM – CONTRACT 1.4**

If the bidder's company is based in a state *other than Rhode Island*, list name and contact information for a local agent for service of process that *is located within Rhode Island*

Delivery Date (if applicable): _____

Name of Surety Company (if applicable): _____

Total Amount in Writing*: _____

Total Amount in Figures*: _____

****If you are submitting a unit price bid, please insert "Unit Price Bid"***

Use additional pages if necessary for additional bidding details.

- Bidder Certification, Performance of Work
- Acknowledge receipt of all Addenda to the Specifications
- Conforms to Specifications
- Modifications to Specifications. If yes, please note
- Required and Completed MBE/WBE Forms submitted with Bid
- Required and Completed EPA DBE Forms submitted with Bid
- Required Proof of State Approved Apprenticeship Program

Signature of Representation

Title

ATTACHMENT 2

Title 23

Health and Safety

Chapter 24.6

Lead Poisoning Prevention Act

R.I. Gen. Laws § 23-24.6-28

§ 23-24.6-28. Lead water supply replacement.

(a) Water suppliers shall develop a service line inventory no later than October 16, 2024, to determine the existence or absence of lead within each water connection in its service area. This inventory shall be completed in accordance with all applicable state and federal requirements including, but not limited to, the IJA. Water suppliers shall include in their inventories a list of all private side lead service replacements performed in their service areas since January 1, 2018. Transient non-community water systems are exempt from this section.

(b) The service line inventory shall include all service lines and shall classify which are:

- (1) Lead service lines;
- (2) Non-lead; and
- (3) Lead status unknown.

(c)(1) Once completed, each water supplier shall provide a copy of its inventory to the department and to the Rhode Island infrastructure bank. This inventory shall be posted on the department's website and on the water supplier's website. Water suppliers without a website shall make the most recent service line inventory available in a publicly accessible location in each community they serve.

(2) The department shall:

- (i) Establish a webpage that serves as a public dashboard to track progress towards the deadline in subsection (a) of this section for each public water supply system;
- (ii) Publish and maintain online a map of the location of each service line and identify whether it is a lead service line or may be of unknown material and allow this map to serve as compliance for participating public water supply systems with requirements at 40 C.F.R. § 141.84(a)(8) that direct the systems to make the service line materials inventory publicly accessible; and
- (iii) Define disadvantaged communities consistent with federal guidance.

(d) When conducting the inventory of service lines in its distribution system for the initial inventory pursuant to this section, a water supplier shall use any information on lead and galvanized iron or steel that it has identified pursuant to applicable state and federal requirements.

(e) Water suppliers may utilize the following to develop a service line inventory:

- (1) Visual inspection during planned maintenance, meter replacement, and main replacement projects;
- (2) Solicitation and receipt of comments, complaints, and other input from customers in the service area;

(3) Historical building records and other available data from the American Water Works Association or other industry research groups; and/or

(4) Any other procedures and resources, including from 40 C.F.R. § 141.84(a)(3), the water supplier deems appropriate for identifying lead service lines.

(f)(1) Within thirty (30) days of identifying a lead service line, the water supplier shall provide written notice to the property owner, the tenants of the building, and the director of the presence of lead service lines or lead status unknown service lines. The notice shall be multilingual and include information describing the sources of lead in drinking water, description of the health effects of lead exposure, and steps customers can take to mitigate exposure to lead in drinking water. This notice shall include lead service line replacement instructions and contact information to schedule a service line inspection and replacement.

(2) Mitigation measures shall include, but not be limited to:

(i) A water supplier providing a filter pitcher or point-of-use device certified by an American Standards Institute accredited certifier to reduce lead;

(ii) Instructions to use the filter; and

(iii) Six (6) months of filter replacement cartridges.

(g) A water supplier without an established lead service line replacement program shall coordinate with the department and the Rhode Island infrastructure bank to develop a replacement program.

(h) A water supplier shall develop and submit to the department a lead service replacement plan in accordance with the rules and regulations of the Environmental Protection Agency Lead and Copper Rule Improvements.

(i) The department and the Rhode Island infrastructure bank shall coordinate with water suppliers to implement lead replacement programs, including assisting with providing financial assistance to the extent the funds are available.

(j) The department and the Rhode Island infrastructure bank shall assist water suppliers with grants, loans, or other financial assistance to ensure that public service lines containing lead are replaced in accordance with this chapter.

(k) Based on the inventories provided pursuant to subsection (a) of this section, the department, the water suppliers, and the Rhode Island infrastructure bank shall determine the estimated total cost associated with all private side replacements. Consistent with any applicable federal law and regulation and to the extent funds are available, the Rhode Island infrastructure bank shall utilize federal funds allocated under section 50105 of the IIJA for the specific purpose of reducing lead in drinking water, to enable water suppliers to meet all eligible private side lead service replacement cost.

(l) In the event total costs exceed available federal funding allocated under section 50105 of the IIJA, the Rhode Island infrastructure bank may request appropriations in one or more fiscal years from the general assembly sufficient to meet the outstanding total cost of all identified outstanding private side lead service line replacements.

(m) For properties with a lead service line or a lead status unknown service line, water suppliers shall inspect, at no cost to the property owner, the private side service lines to determine whether lead or galvanized iron or steel is present. If lead is detected in the private service line, the private service line shall be replaced in accordance with all applicable federal and state requirements.

(n) The water supplier shall replace the entire lead service line, if lead is present in the public side. The water supplier shall replace the entire lead service line with minor disruption to water service unless there is either an

emergency or all persons served by the service line object to the replacement in writing. Transient non-community water systems shall be exempt from lead service line replacements.

(o) In the event a property owner refuses to allow the inspection or replacement of private side service lines, the water supplier shall file notice of all attempts to inspect or replace the private side service lines and the property owner's refusal to allow inspection or replacement services with the department. The notice shall state at a minimum: the date and time of each attempt; the name of the person who refused each attempt; and the name and signature of the person who made each attempt. The address where each refusal took place shall be published on the appropriate department website to ensure occupants of the building have notice of the potential lead in the service line. The notice shall be filed within thirty (30) days following the second refusal by the property owner. The notice shall be written as a multilingual document. In the event that a water service line in a rental property is found to contain lead and the property owner declines or is unresponsive, the tenant shall be entitled to make a second (2nd) request to the property owner for service line replacement. If the property owner refuses or fails to respond within sixty (60) days, the tenant shall have the option to terminate the lease. Upon termination, the property owner may not withhold the tenant's security deposit based upon the tenant's exercise of their termination rights under this section.

(p) If the property is a rental property, the owner shall inform the tenants of the presence of lead in accordance with § 23-24.6-15(b). If the owner fails to provide tenants with timely notification of the existence of lead in service lines to the building the owner shall be subject to civil penalty in accordance with § 23-24.6-27.

(q) When a property owner transfers the ownership of property, they shall disclose the presence of lead service lines. Pursuant to § 5-20.8-11, every contract for the transfer or purchase and sale of real estate that is or may be served by a service line containing lead shall provide that potential purchasers be permitted a ten-day (10) period, unless the parties mutually agree upon a different period of time, to conduct a risk assessment or an inspection of the property's water service lines for the presence of lead hazards before becoming obligated under the contract to transfer or purchase. Parties may mutually agree to waive a risk assessment or an inspection.

(r) The department and the Rhode Island infrastructure bank shall prioritize the allocation of funds for private lead service line replacements in accordance with all federal requirements and based on the percentage of private lead service lines present within a water supplier service area, which shall be based on factors including, but not limited to:

- (1)** Targeting known lead service lines;
- (2)** Targeting available funds to lead service line replacements for disadvantaged water suppliers; and
- (3)** Targeting populations most sensitive to the effects of lead.

(s) Upon award of funds for lead service replacements, water suppliers shall prioritize projects within their service area to disadvantaged customers and those who are most sensitive to the effects of lead.

(t) For any award of one million dollars (\$1,000,000) or greater to a water supplier for a lead service line replacement project, the Rhode Island infrastructure bank shall require water suppliers and their contractors to participate in an approved apprenticeship program for all apprenticeable crafts or trades that will be employed on the project at the time of bid.

(u) Contingent upon available funding, each water supplier shall complete the replacement of all public and private lead service lines in its service area within ten (10) years of the effective date of this section [June 24, 2023] unless otherwise provided in this section. All lead service line replacement projects funded under this section shall be completed in accordance with all applicable state and federal requirements including, but not limited to, the IJJA and related federal regulations and guidance.

(v) Upon completion of the lead service line inventory or no earlier than January 1, 2025, any water supplier that provided financing to its customers for private side lead service replacement after January 1, 2018, may be

eligible for reimbursement from the state for costs associated with private side lead service replacements financed by its customers. State reimbursement shall be subject to appropriation by the general assembly. The water supplier shall submit request for reimbursements to the department. Within ninety (90) days of receipt of funds from the state, the water supplier shall reimburse each customer for costs incurred in connection with their private side lead service replacement project.

(w) Each water supplier shall provide an annual report to the governor, president of the senate, speaker of the house, director of the department of health, and executive director of the Rhode Island infrastructure bank within ninety (90) days of the end of each fiscal year. The report shall contain information, including, but not limited to: the number of public service lines per community served and the number replaced; the number of private service lines per community served and the number replaced; an estimated number of service lines to be replaced; property type; number of private service line inspections conducted; and annual expense to replace service lines. Water suppliers whose initial inventories contain only non-lead service lines are not required to provide subsequent annual reports required in this section.

(x) Water suppliers may coordinate with the department and nonprofit lead advocacy organizations to reach residents in communities with lead infrastructure. This coordination may include, but is not limited to, developing education materials, awareness communications, and outreach campaigns.

(y) The department shall enforce the provisions of this section.

History of Section.

P.L. 2023, ch. 333, § 2, effective June 24, 2023; P.L. 2023, ch. 334, § 2, effective June 24, 2023.