

East Bay Community Action Program (EBCAP) Boiler Procurement Policy

Any Heating System Replacement work will be procured using a Competitive Sealed bid process. All work will be inspected (pre and post) by a person with a minimum of a Pipefitter Journeyman Class F, Electrical (PJF) limited license Class II in the specific fuel type discipline. The inspector or their affiliated company cannot bid a job that they have inspected.

The inspector will perform a diagnostic efficiency test, size and heat loss calculation, and also evaluate the system to determine if the system should be repaired or replaced. Systems should be replaced if one of the following criteria is met:

- The efficiency is below 70%.
- The block is cracked and leaking water or the heat exchanger is cracked
- The cost to repair the unit would exceed 50% of the replacement cost.
- If the inspector deems replacement for any other reason, a waiver will be submitted to the Office of Energy Resources (OER) for approval.

The bid specifications for the new heating system will include a clear and accurate description of the technical requirements for the materials, product, or services to be provided. This description will also include any additional information about the heating system or the installation that would be necessary for prospective companies to consider when formulating their bid package. This may include the location of the boiler including information about stairs and/or any information unique to the heating system or installation. The bid specifications for the new heating system will be drafted by a licensed inspector using a "BID PROPOSAL" form approved by OER. The inspector can repair a heating system that is deemed repairable. The agency can deem a bid as incomplete or invalid. The agency shall make awards only to responsible contractors possessing the ability to perform successfully under the terms and conditions of this procurement policy. Contractors wishing to participate in EBCAP's Heating System Replacement program must first be registered with OER and be on the list of approved heating contractors. Consideration will be given to contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. Any bid from a heating contractor not on OER's approved list or a contractor that has been debarred or suspended is invalid and will be withdrawn.

Competitive Sealed Bids

Competitive sealed bids can be used ONLY when the following criteria are met: (1) there are complete, adequate, and realistic specifications or purchase descriptions; (2) there are two or more responsible bidders who are willing and able to compete effectively, or an adequate level of outreach was performed and the received bid is reasonable. In these cases the agencies have to document and support all the outreach activities that were performed.

The following conditions shall be met:

A. The announcement for bids shall be publicly advertised via agency website with a bid closing 10 days after the posting of the announcement to bid.

B. The announcement for bids, including the specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the public announcement.

C. All bids shall be opened publicly at the time and place specified in the advertisement for bids.

D. The agency's bid award shall be made by written notice to the lowest responsible bidder whose bid conforms to the announcement for bids.

Receipt of Bids

- All bids will be logged into a bid control sheet.
- When the bid is received it will be date stamped with time of receipt noted by the person receiving the bid.
- The received bids will be stored in a secure location until the opening.
- All bids received after the closing date or that are deemed invalid will be returned with an explanation on why the bid is being returned.

Evaluation of Bids

- EBCAP will announce the time, date and place of the public bid openings on its web site.
- The bid award will NOT take place at the opening.
- EBCAP will establish an evaluation panel of two or more to review bids for price and completeness.
- EBCAP will prepare a written summary of points and costs for all responsive bidders.
 - Submit the name, bid amount, and justification for selection of the successful bid.
- EBCAP will notify the selected contractor
- EBCAP will post notification of successful bidder on EBCAP's web site.

Protest Procedures

- Any contractor that was not a successful bidder may file a formal written complaint to EBCAP's Heating and Energy Department within 5 business days after the notice of the successful bidder was posted on EBCAP's web site. The protest must contain the following:
 - Notice of protest
 - Specific reasons for filing
 - Detailed statement of the grounds for the protest
 - A specific request for a ruling by EBCAP's protest committee
- EBCAP will notify the successful contractor that a complaint of protest has been filed.
- The protest committee must meet within 5 business day to review the complaint
- The protest committee must issue a decision within 2 business days from the date of the meeting and must notify protester of their decision.

Boiler Emergency Procurement Policy

If a household is without heat between October 1 and April 30, EBCAP's emergency procurement policy will be used. All work will be inspected (pre and post) by a person holding a valid minimum license of a Pipefitter Journeyman Class F-Electrical (PJF) in specific fuel type discipline. Heating Systems will be replaced when one of the following criteria is met:

- The efficiency is below 70%.

- The block is cracked and leaking water or the heat exchanger is cracked.
- The cost to repair the unit would exceed 50% of the replacement cost.
- If the inspector deems replacement for any other reason a waiver must be submitted to OER.

If the client does not have a dealer of record, a vendor is selected from the State's approved Boiler Emergency Contractor List using a systematic rotating selection process. If a dealer of record is involved they shall be informed first. The vendor selected or the dealer of record is asked for a quote. All quotes will be sent to OER for monitoring purposes only. OER requires the procurement process for an emergency boiler not to exceed 48 hours.

Additional Requirements:

Applicant must be LIHEAP eligible with an approved and completed application on file. The household income must have been certified within the past six months of the pre inspection date, or will need to be recertified. Applicant must own and reside in the dwelling receiving the new heating system.