



**STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE  
AND FINANCIAL SERVICES  
Bureau of Alcoholic Beverages and  
Lottery Operations**

**Janet T. Mills  
Governor**

**Kirsten Figueroa  
Commissioner**

February 28, 2024

Pine State Trading Co.  
P. Nicholas Alberding, CEO  
100 Enterprise Avenue  
Gardiner, ME 04345

**SUBJECT:** Notice of Conditional Contract Award under RFP # 202309200,  
Maine Wholesale Spirits Business

Dear Mr. Alberding:

This letter is in regard to the subject Request for Proposals (RFP), issued by the State of Maine Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations for the Maine Wholesale Spirits Business. The Department has evaluated the proposals received using the evaluation criteria identified in the RFP, and the Department is hereby announcing its conditional contract award to the following bidder:

- Pine State Trading Co.

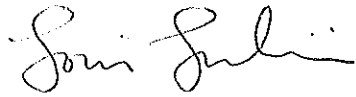
The bidder listed above received the evaluation team's highest ranking. The Department will be contacting the aforementioned bidder soon to negotiate a contract. As provided in the RFP, the Notice of Conditional Contract Award is subject to execution of a written contract and, as a result, this Notice does NOT constitute the formation of a contract between the Department and the apparent successful vendor. The vendor shall not acquire any legal or equitable rights relative to the contract services until a contract containing terms and conditions acceptable to the Department is executed. The Department further reserves the right to cancel this Notice of Conditional Contract Award at any time prior to the execution of a written contract.

As stated in the RFP, following announcement of this award decision, all submissions in response to the RFP are considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA). 1 M.R.S. §§ 401 et seq.; 5 M.R.S. § 1825-B (6).

This award decision is conditioned upon final approval by the State Procurement Review Committee and the successful negotiation of a contract. A Statement of Appeal Rights has been provided with this letter; see below.

Thank you for your interest in doing business with the State of Maine.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis Luchini".

Louis Luchini  
Director  
Bureau of Alcoholic Beverages  
And Lottery Operations

#### **STATEMENT OF APPEAL RIGHTS**

Any person aggrieved by an award decision may request an appeal hearing. The request must be made to the Director of the Bureau of General Services, in writing, within 15 days of notification of the contract award as provided in 5 M.R.S. § 1825-E (2) and the Rules of the Department of Administrative and Financial Services, Bureau of General Services, Division of Purchases, Chapter 120, § (2) (2).

**STATE OF MAINE  
TEAM CONSENSUS EVALUATION NOTES**

**RFP #:** 202309200

**RFP TITLE:** Maine Wholesale Spirits Business

**BIDDER:** Pine State Trading Co.

**DATE:** February 16, 2024

**Only one bidder submitted a proposal in response to this RFP.**

**SUMMARY PAGE**

**Department Name:** DAFS - BABLO

**Name of RFP Coordinator:** Tracy Willett

**Names of Evaluators:** Ellen Blake, Lisa Nosel, Patricia Wiggins, Tracy Willett, Terry Meehan

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<u>Pass/Fail Criteria</u>	<u>Pass</u>	<u>Fail</u>
Section I. Preliminary Information (Eligibility)	XX	
•		
•		
•		
<u>Scoring Sections</u> : One bidder, scoring not required	<u>Points Available</u>	<u>Points Awarded</u>

**Evaluation Team Comments:**

1. Sole RFP submission
2. Scoring not required

**STATE OF MAINE  
TEAM CONSENSUS EVALUATION NOTES**

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**DATE:** February 16, 2024

**OVERVIEW OF SECTION I  
Preliminary Information**

Section I. Preliminary Information

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**Evaluation Team Comments:**

1. Appendix A - Proposal Cover Page
  - a. As required
2. Appendix B - Debarment, Performance and Non-Collusion Certification
  - a. As required
3. Eligibility Requirements (Sec of State certification)
  - a. As required

**STATE OF MAINE  
TEAM CONSENSUS EVALUATION NOTES**

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**DATE:** February 16, 2024

**EVALUATION OF SECTION II  
Organization Qualifications and Experience**

	<u>Points Available</u>	<u>Points Awarded</u>
Section II. Organization Qualifications and Experience	<b>No scoring</b>	

**Evaluation Team Comments:**

1. Appendix C - Overview of the Organization
  - a. Good overview
  - b. History of company and participation in State spirit sales
  - c. As required
2. Subcontractors
  - a. As required
  - b. Comprehensive list
3. Litigation
  - a. Three personnel actions pending
  - b. Two closed in last five years
  - c. No concerns
4. Financial Viability
  - a. Strong numbers on D&B forms
  - b. As required
5. Licensure/Certification
  - a. All current
  - b. As required
6. Certificate of Insurance
  - a. All current
  - b. As required

**STATE OF MAINE  
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**RFP #:** 202309200

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**EVALUATION OF SECTION III  
Proposed Services**

	<u>Points Available</u>	<u>Points Awarded</u>
Section III. Proposed Services	<b>No scoring</b>	

**Evaluation Team Comments:**

1. Services to be Provided
  - a. Thorough and detailed
  - b. Efficient
  - c. Low error rates
  - d. Exceeded requirements
  - e. Big company with small town flavor
  - f. Customer oriented
  - g. Training academy
  - h. Responsive to requests
  - i. Technical Requirements for SaaS Products
  - j. SOC 2
  - k. LLE Modernization transfer mechanization/integration possible down the road, if Bureau determines useful
2. Implementation – Work Plan
  - a. No concerns
  - b. Business progression
  - c. Prior contractor
  - d. Some recommendations may or may not be adopted
  - e. SOC 2 Type 2 Audit
    - i. May need prior to contract implementation

**ADDITIONAL NOTES FROM MAINE IT SECURITY SME:**

**Positive notes(PN):**

1. According to **Appendix Q - Section L-8 (PII Processing and Transparency)** "We do not store or process PII within the spirits business". (re-affirmed with agency (Tracy Willett))
2. Vendor utilizes NIST CSF Crosswalk for tracking control changes
3. 3rd party vendors routinely audited & tested
  - a. Including supply-chain risk management

**STATE OF MAINE  
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4. Re-evaluates scope and compliance of PII Processing and Transparency yearly (**Appendix Q - Section L-8 (PII Processing and Transparency)**).

Exceptions(E):

1. **Appendix Q - Section L-PL4 (Rules of Behavior)**
  - a. Vendor plan of action is acceptable
2. **Appendix Q - Section L-PL7 (Concept of Operations)**
  - a. Vendor plan of action is acceptable

Notes of concern(NC):

1. Compliance of security controls is noted (*through the RFP CSF-NIST crosswalk*) but not defined (*i.e. 'how' - for example "physical environment is monitored for potential threats" - but how is this accomplished?*). I don't feel this should impede the RFP process or negatively impact the bidder, however it is worth noting that if the bidder were selected, we would want to see this level of detail. That is often accomplished through 3rd party audits of the vendors environment (*such as a SOC2 Type II which the vendor notes they conduct (see **Appendix Q - Section L:Conclusion**) and **Section N** covers the requirement for that report*).
2. System/communications protections noted in **Appendix Q - Section L-14**. Data at rest / in transit is protected - this is an area that would be important to know the 'how' (*see NC-1 from this notes section*). Though from a risk standpoint this becomes less critical based on the agency defined low-sensitivity of data. The bidder goes on to further support this in **14:SC-12/SC-13 (Cryptographic protection(s))** and appears to establish a low sensitivity - "*We believe this falls beyond the scope of the impact level of the data as determined by the agency*".
3. As a managed service solution, details on **Appendix Q - Section L-14:CSF PR.AC-5 (Network Segmentation)** would be good to have but not critical given the low data-sensitivity. By policy, sensitive data should not be stored in a way that another client's data is accessible to SOM data (*client in the case meaning for instance, another client provided services by the vendor*).
4. For PN-4 (above), as data-owners, I would recommend the agency be involved in this review.

**STATE OF MAINE  
TEAM CONSENSUS EVALUATION NOTES**

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**DATE:** February 16, 2024

**EVALUATION OF SECTION IV  
Cost Proposal**

Lowest Submitted Cost Proposal	,	Cost Proposal Being Scored	x	Score Weight	=	Score
No scoring	,	7.55%	x		=	

**Evaluation Team Comments:**

1. Acceptable cost proposal
2. No need for two proposed add-ons
3. Integration with licensing system - down the road perhaps, but not required by Bureau
4. Team reached consensus and has determined the proposal represents best value to the State.





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Governor

Kirsten Figueroa  
Commissioner

**AGREEMENT AND DISCLOSURE STATEMENT**  
**RFP #: 202309200**  
**RFP TITLE: Maine Wholesale Spirits Business**

I, (print name at right) Ellen Blake accept the offer to become a member of the Request for Proposals (RFP) Evaluation Team for the State of Maine Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. I do hereby accept the terms set forth in this agreement AND hereby disclose any affiliation or relationship I may have in connection with a bidder who has submitted a proposal to this RFP.

Neither I nor any member of my immediate family have a personal or financial interest, direct or indirect, in the bidders whose proposals I will be reviewing. "Interest" may include, but is not limited to: current or former ownership in the bidder's company; current or former Board membership; current or former employment with the bidder; current or former personal contractual relationship with the bidder (example: paid consultant); and/or current or former relationship to a bidder's official which could reasonably be construed to constitute a conflict of interest (personal relationships may be perceived by the public as a potential conflict of interest).

I have not advised, consulted with or assisted any bidder in the preparation of any proposal submitted in response to this RFP nor have I submitted a letter of support or similar endorsement.

I understand and agree that the evaluation process is to be conducted in an impartial manner without bias or prejudice. In this regard, I hereby certify that, to the best of my knowledge, there are no circumstances that would reasonably support a good faith charge of bias. I further understand that in the event a good faith charge of bias is made, it will rest with me to decide whether I should be disqualified from participation in the evaluation process.

**I agree to hold confidential all information related to the contents of Requests for Proposals presented during the review process until such time as the Department formally releases the award decision notices for public distribution.**

Signature

1/31/2024

Date



Janet T. Mills  
Governor

STATE OF MAINE  
BUREAU OF ALCOHOLIC BEVERAGES  
AND LOTTERY

Elizabeth Fitzgerald  
Julie A. Sheehan  
Hon. Stacey A. Fitts  
Hon. Kimberly J. Monaghan  
Hon. John C. Schneck  
Commissioners

AGREEMENT AND DISCLOSURE STATEMENT  
RFP #: 202309200  
RFP TITLE: Maine Wholesale Spirits Business

I, Ben Haschalk, accept the offer to become a member of the Request for Proposals (RFP) Evaluation Team for the State of Maine Bureau of Alcoholic Beverages and Lottery. I do hereby accept the terms set forth in this agreement AND hereby disclose any affiliation or relationship I may have in connection with a bidder who has submitted a proposal to this RFP.

Neither I nor any member of my immediate family have a personal or financial interest, direct or indirect, in the bidders whose proposals I will be reviewing. "Interest" may include, but is not limited to: current or former ownership in the bidder's company; current or former Board membership; current or former employment with the bidder; current or former personal contractual relationship with the bidder (example: paid consultant); and/or current or former relationship to a bidder's official which could reasonably be construed to constitute a conflict of interest (personal relationships may be perceived by the public as a potential conflict of interest).

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DocuSigned by:

*Ben Haschalk*

B14CDE506CB3447

Signature

2/26/2024

Date



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE  
AND FINANCIAL SERVICES  
Bureau of Alcoholic Beverages and  
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**AGREEMENT AND DISCLOSURE STATEMENT**  
**RFP #: 202309200**  
**RFP TITLE: Maine Wholesale Spirits Business**

I, Lisa M. Nosel accept the offer to become a member of the Request for Proposals (RFP) Evaluation Team for the State of Maine Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. I do hereby accept the terms set forth in this agreement AND hereby disclose any affiliation or relationship I may have in connection with a bidder who has submitted a proposal to this RFP.

Neither I nor any member of my immediate family have a personal or financial interest, direct or indirect, in the bidders whose proposals I will be reviewing. "Interest" may include, but is not limited to: current or former ownership in the bidder's company; current or former Board membership; current or former employment with the bidder; current or former personal contractual relationship with the bidder (example: paid consultant); and/or current or former relationship to a bidder's official which could reasonably be construed to constitute a conflict of interest (personal relationships may be perceived by the public as a potential conflict of interest).

I have not advised, consulted with or assisted any bidder in the preparation of any proposal submitted in response to this RFP nor have I submitted a letter of support or similar endorsement.

I understand and agree that the evaluation process is to be conducted in an impartial manner without bias or prejudice. In this regard, I hereby certify that, to the best of my knowledge, there are no circumstances that would reasonably support a good faith charge of bias. I further understand that in the event a good faith charge of bias is made, it will rest with me to decide whether I should be disqualified from participation in the evaluation process.

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*Lisa M. Nosel*

Signature

*2/6/24*

Date



Janet T. Mills  
Governor

STATE OF MAINE  
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**AGREEMENT AND DISCLOSURE STATEMENT**  
**RFP #: 202309200**  
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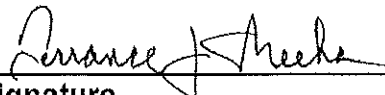
I, Terrance J. Meehan, accept the offer to become a member of the Request for Proposals (RFP) Evaluation Team for the State of Maine Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. I do hereby accept the terms set forth in this agreement AND hereby disclose any affiliation or relationship I may have in connection with a bidder who has submitted a proposal to this RFP.

Neither I nor any member of my immediate family have a personal or financial interest, direct or indirect, in the bidders whose proposals I will be reviewing. "Interest" may include, but is not limited to: current or former ownership in the bidder's company; current or former Board membership; current or former employment with the bidder; current or former personal contractual relationship with the bidder (example: paid consultant); and/or current or former relationship to a bidder's official which could reasonably be construed to constitute a conflict of interest (personal relationships may be perceived by the public as a potential conflict of interest).

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Signature

January 30, 2024  
Date



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE  
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Janet T. Mills  
Governor

Kirsten Figueroa  
Commissioner

AGREEMENT AND DISCLOSURE STATEMENT  
RFP #: 202309200  
RFP TITLE: Maine Wholesale Spirits Business

I, Patricia Wiggin \_\_\_\_\_ accept the offer to become a member of the Request for Proposals (RFP) Evaluation Team for the State of Maine Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. I do hereby accept the terms set forth in this agreement AND hereby disclose any affiliation or relationship I may have in connection with a bidder who has submitted a proposal to this RFP.

Neither I nor any member of my immediate family have a personal or financial interest, direct or indirect, in the bidders whose proposals I will be reviewing. "Interest" may include, but is not limited to: current or former ownership in the bidder's company; current or former Board membership; current or former employment with the bidder; current or former personal contractual relationship with the bidder (example: paid consultant); and/or current or former relationship to a bidder's official which could reasonably be construed to constitute a conflict of interest (personal relationships may be perceived by the public as a potential conflict of interest).

I have not advised, consulted with or assisted any bidder in the preparation of any proposal submitted in response to this RFP nor have I submitted a letter of support or similar endorsement.

I understand and agree that the evaluation process is to be conducted in an impartial manner without bias or prejudice. In this regard, I hereby certify that, to the best of my knowledge, there are no circumstances that would reasonably support a good faith charge of bias. I further understand that in the event a good faith charge of bias is made, it will rest with me to decide whether I should be disqualified from participation in the evaluation process.

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Patricia Wiggin  
Signature

1/30/2024  
Date



Janet T. Mills  
Governor

STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE  
AND FINANCIAL SERVICES  
Bureau of Alcoholic Beverages and  
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Kirsten Figueroa  
Commissioner

**AGREEMENT AND DISCLOSURE STATEMENT**  
**RFP #: 202309200**  
**RFP TITLE: Maine Wholesale Spirits Business**

I, Tracy Willett, accept the offer to become a member of the Request for Proposals (RFP) Evaluation Team for the State of Maine Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations. I do hereby accept the terms set forth in this agreement AND hereby disclose any affiliation or relationship I may have in connection with a bidder who has submitted a proposal to this RFP.

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**I agree to hold confidential all information related to the contents of Requests for Proposals presented during the review process until such time as the Department formally releases the award decision notices for public distribution.**

Tracy A. Willett  
Signature

1-30-24  
Date