

To: Kathy L. Paquette, Division of Purchases (#9 State House Station)  
From: Norm Marcotte, Land & Water Quality, Maine Department of Environmental Protection  
Date: May 5, 2009  
Re: **AWARD DECISION - RFP200903400**  
**Request For Proposals: 604(b) Water Quality Management Planning Grants,**  
**American Recovery & Reinvestment Act of 2009**

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DEP issued the referenced RFP on March 31, 2009 in accordance with Department of Administrative and Financial Services "Rules for the Purchase of Services and Awards", CMR Chapter 110. DEP transmits the following information for review and approval by the Division of Purchases: the award decision; supporting justification for the award; summary of scores for all proposals and a copy of the award notification to bidders.

#### Award Decision.

DEP proposes to award funds for 4 of the 10 proposals received.  
The Award Decision Summary is attached.

#### RFP Process Steps

March 19. DEP requested Division of Purchases review and approval of the RFP.

March 27. Division of Purchases (Betty Lamoreau) email approved the RFP.

March 31. DEP issued the RFP.

- The RFP was advertised by public notice in the Kennebec Journal on April 2, 3 and 4. DEP requested that any questions about the RFP be submitted in writing and received by April 13th. The notice stated that any questions and responses will be posted on the DEP website on April 16th.
- The RFP was available on the DEP website from April 1 to the bid opening date.
- DEP send notice of the RFP to 18 towns that have an urban impaired stream, Regional Planning Commissions, Soil & Water Conservation Districts, DEP's Watershed managers email List Serve, and entities requesting notice of the 604b RFP.

April 16. DEP provided a written summary of questions and responses to all persons that requested the RFP and posted the summary on the DEP website. DEP received 7 questions.

April 23. The Division of Purchases received 10 proposals by the due date deadline. Purchases opened the proposals.

April 24. DEP received the 10 proposals.

April 24. DEP provided an instructions memo and the 10 proposals to the 3 DEP staff

serving on the Review Committee: Kathy Hoppe, Jeff Dennis, and Don Witherill. Review committee members were instructed to evaluate and score each proposal independently prior to the committee meeting. DEP provided the memo to the U.S. Environmental Protection Agency (Sandra Fanciullo, 604(b) Award Project Officer) and requested EPA comments for consideration by the review committee.

April 30 Review Committee meeting held at DEP to discuss / evaluate each proposal one at a time and conclude evaluation of each proposal. Evaluations were recorded by each reviewer on a Score Sheet form. Committee members finalized their individual score sheets for all proposals.

May 6 DEP requests Division of Purchases review the proposed Award Decision.

#### Summary of the Proposal Scores

Refer to the attached "Award Decision Summary" for a summary of proposal scores. Notes from the review committee meeting, score sheets for all proposals, and EPA review comments are in the RFP file at DEP.

#### Award Notification to Bidders.

DEP will issue Notification of Award letters to the 10 respondents as soon as the Division of Purchases advises DEP the Award Decision is acceptable. DEP plans to send an affirmative award decision notification for 4 proposals and a negative award decision notification for 6 proposals. Please find a copy of the proposed award notification letters attached.

#### Grant Agreements

In May 2009, DEP plans to prepare grant agreements for the 4 projects and submit signed Grant Agreements to Purchases for approval.

Please contact me at 287-7727 or by email at [norm.g.marcotte@maine.gov](mailto:norm.g.marcotte@maine.gov) if you have any questions or need additional information. Thank you.

Attachments: Award Decision Summary  
Instructions Memo to Review Committee, 4/24/09  
Proposals Received Table  
Score Sheet Form  
Award Notification Letter

**AWARD DECISION SUMMARY:**

**RFP: 604(b) Water Quality Management Planning Grants  
American Recovery & Reinvestment Act of 2009**

**A. Funding Amount Planned for the RFP.**

DEP plans to award funds for 4 highest rated proposals summing to a total of \$306,400. The RFP stated grants will be funded with anticipated ARRA monies to be provided to Maine by EPA under Section 604(b) of the Federal Clean Water Act. DEP planned to allocate the entire amount of grant funds (\$306,400) for projects under this RFP.

**B. DEP Review of Proposals for Acceptability**

DEP received 10 proposals described in the Table "Proposals Received", copy attached. DEP reviewed each proposal to determine if the proposal reasonably met the RFP instructions and requirements.

DEP determined 9 proposals were acceptable for evaluation by the review committee. One proposal was not accepted for evaluation by the review committee. DEP could not accept the proposal from Maine NEMO because the respondent is not a unit of government or interstate organization eligible to receive 604b grant funds. The RFP states:

“Eligible recipients are regional public comprehensive planning organizations or interstate organizations such as: regional planning agencies, councils of governments, conservation districts, counties, cities and towns, and other substate public planning agencies and interstate agencies. Such organizations must be chartered with suitable powers as a unit of local government, an independent substate agency, or an interstate organization under an interstate agreement of which Maine is a party.”

**C. Evaluation of Proposals by Review Committee.**

Review Committee members evaluated 9 accepted proposals independently prior to the committee meeting. The committee met on April 30 to discuss and exchange observations on each proposal, one at a time, and conclude evaluation of each proposal. Evaluations were recorded by each rater on individual score sheets. After committee discussion about each proposal, raters finalized their individual score sheet. The committee reviewed the outcome. Review committee score sheets for each proposal are on file at DEP.

**Outcome of Review Committee Evaluation**

Rank	Point Score	Ref #	Respondent	Project	Grant Amount	Cumulative	Score KH	Score JD	Scores DW
1	270	9	Stormwater Utility Planning	Bangor, City	70,000	70,000	91	85	94
2	250	2	Restore Long Creek: From Planning to Implementation	Cumberland County Soil & Water Conservation District	90,000	160,000	80	80	90
3	230	3	Red Brook Watershed Based Management Plan	Scarborough, Town	48,605	208,605	78	72	80
4	215	5	Capisic Brook Restoration Plan	Portland, City	99,000	307,605	64	80	71
5	208	10	Mare Brook Watershed Assessment	Brunswick, Town	38,100		69	68	71
6	182	6	Whitten Brook Watershed Management Plan	Skowhegan, Town	47,775		53	68	61
7	148	1	Watershed Assessments & Community Outreach Frost Gully Brook & Concord Gully Brook	Freeport, Town	59,760		48	42	58
8	147	8	Caribou Stream Watershed Management Plan	Northern Maine Development Commission	85,770		52	40	55
9	130	4	Unnamed Tributary of Bond Brook Watershed Management Plan	Kennebec Soil & Water Conservation District	47,095		47	33	50
NA	NA	7	Comprehensive Assessment of Urban Streams & Topsham Fairgrounds Stream Pilot Project	Maine Nonpoint Source Education for Municipal Officials	63,951		RC Did Not Evaluate Proposal, Ineligible Recipient		
Grant Funds Requested - Total					650,056				

Award Decision - RFP: 604(b) Water Quality Management Planning Grants, 5-5-09, Maine DEP

April 24, 2009

To: **Review Committee:** Don Witherill; Kathy Hoppe, Jeff Dennis  
Watershed Management Div, Land & Water Quality, DEP  
EPA, Sandra Fanciullo, 604(b) Project Officer, EPA – New England

Fr: Norm Marcotte, Watershed Management Div

RE: **Evaluation of Proposals**  
**RFP: 604(b) Water Quality Management Planning Grants**  
**American Recovery & Reinvestment Act of 2009**

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Don Kathy & Jeff: Thanks for agreeing to serve as the Review Committee evaluating proposals for Stimulus 604b Projects. The Review Committee will meet on **Thursday April 30, 8:30 to noon.**

Sandra, This acknowledges your role as Project Officer on 604(b) grant award to Maine DEP. Thank you very much for agreeing to schedule time on short notice to review the proposals concurrently with DEP Review Committee. This will help ensure projects selected under Maine RFP procedures would satisfy EPA requirements for State sub-awards of 604b funds to eligible recipients. The DEP Review Committee welcomes EPA observations about the proposals.

**Instructions & materials needed to evaluate proposals:**

- Summary Table of Proposals Received;
- Responses to Questions
- the proposals;
- Score Sheet Forms for rating each proposal; and
- Agenda for the Review Committee meeting on April 30.

**Review of Proposals to Determine Acceptability**

DEP reviews all proposals to determine if each is acceptable for processing. The basis for rejection of a proposal is stated in the RFP Section 10. DEP reviews each proposal and applies best professional judgment to determine if a proposal does not reasonably provide information requested in the RFP.

**Review Committee (RC) Evaluation Process Instructions**

- 1.) DEP and Review Committee members must sequester all proposals until DEP issues notifications of the award decision.
- 2.) Do not seek/accept any additional information from RFP respondents. Reviews must be based solely on the proposals themselves, as submitted.
- 3.) **Read and review the RFP carefully. In particular, review Section 7 “Criteria for Evaluating Proposals” and Appendix #2 “Instructions for Preparing Proposals”. Contact me if any questions.**
- 4.) Regarding proposal evaluations, the Score Sheets are arranged so that each reviewer will have 2 separate opportunities to assign a point score for each of the evaluation criteria.

- The 1st review (see “1<sup>st</sup> Review” column on Score Sheet) will be completed on your own, prior to the April 30 meeting. **Please evaluate all proposals and score each using the “1<sup>st</sup> Review” column on the Score Sheets before the meeting. Bring all materials to the meeting.**
- The 2nd review will be done at the meeting. The RC will share observations regarding each proposal. Reviewers can adjust their point scores based on this discussion.

DEP must retain all original reviewer Score Sheets and pertinent notes so please make any important notes on the Score Sheet. Record key reasons for your point assignments. Records from the selection process (i.e., all RC evaluation materials) will be kept and made available to the public after DEP issues the notice of award decision to RFP respondents.

5.) Considerations as you review / score proposals include:

- a.) Proposals should be reviewed and scored based on what they actually say, not on what they might say if re-written or modified. I.e., the proposal should stand on its own.
- b.) Try to use the whole point range within each criterion (1 to 25 pts.). This helps avoid having a narrow range of tightly bunched scores.
- c.) Do not be concerned about how one proposal rates against the other proposals. The RC objective is to evaluate each proposal individually on its own merits relative to the RFP evaluation criteria.
- d.) We suggest reviewing proposals in random to help avert unintentional “sequence bias” that might occur if all reviewers review and score proposals in the same order.

6.) DEP will sum the point scores for respective proposals to arrive at a group score. The resulting final scores are the basis for awarding funds.

7.) If there are sufficient funds to select all proposals the decision to fund will be made by the RC. For a proposal to be funded the RC must find that the proposal is acceptable, doable and cost-effective relative to the terms of the RFP.

**Next Step - After the Review Committee Meeting:** Plan to complete the Review Committee evaluation by the close of the April 30 meeting. In early May DEP will prepare the proposed award decisions; the proposed award notification letter to all bidders; supporting justification for the award; and a summary of scores for all proposals. DEP needs to secure review and approval of its decision from the State Division of Purchases and EPA. DEP plans to issue award notifications to all RFP respondents as soon as possible.

Questions? Give me a call...287-7727.

Proposals Received RFP issue date 3/31/09; Proposals due date 4/23/09, NPS Program prepared 4/24/09 Marcotte

Allocation target: \$306,400

Ref #	Project Title	Applicant	Grant fund request amount	Match (optional)	Total Budget	Comments
1	Watershed Assessments and Community Outreach Frost Gully Brook and Concord Gully Brook	Freeport, Town	59,760	0	59,760	
2	Restore Long Creek: From Planning to Implementation	Cumberland County Soil and Water Conservation Dist.	90,000	46,083	136,083	CD has only Parts 4 & 5
3	Red Brook Watershed Based Management Plan	Scarborough, Town	48,605	37,727	86,332	CD has only Parts 4 & 5
4	Unnamed Tributary of Bond Brook Watershed Management Plan –	Kennebec Soil & Water Conservation District	47,095	0	47,095	
5	Capisic Brook Restoration Plan	Portland, City	99,000	67,128	166,128	CD not received
6	Whitten Brook Watershed Management Plan	Skowhegan, Town	47,775	0	47,775	
7	Comprehensive Assessment of Urban Streams (CAUS) & Topsham Fairgrounds Stream Pilot Project	Maine Nonpoint Source Education for Municipal Officials	63,951	6,500	70,459	Proposal is not acceptable. NEMO not an eligible recipient. (organizations must be chartered with suitable powers as a unit of local government, an independent substate agency, or an interstate organization under an interstate agreement of which Maine is a party.
8	Caribou Stream Watershed Management Plan	Northern Maine Development Commission	85,770	5,250	91,020	
9	Stormwater Utility Planning	Bangor, City	70,000	107,001	177,001	
10	Mare Brook Watershed Assessment	Brunswick, Town	38,100	14,563	52,663	
			650,056	284,252	934,316	





<b>Cost Effectiveness</b>  <b>(25 points)</b>	<b>Pros:</b>	<b>Pros:</b>
	<b>Cons:</b>	<b>Cons:</b>
	<b>Score:</b> _____	<b>Final Score (max. 25 pts):</b> <input type="text"/>
<b>TOTAL - FINAL SCORE:</b> _____		

<u>Other Comments / Concerns about the Proposal:</u>	Does this proposal represent an acceptable, cost-effective, doable proposal?  YES___ NO___
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## Yes - DEP Intends to Issue Grant

May ## , 2009

«Title» «FirstName» «LastName»  
«Company»  
«Address1»  
«Address2»  
«City» «State» «PostalCode»

Re: Notification of Award Decision  
Proposal: «Title1»  
Request For Proposals: 604(b) Water Quality Management Planning Grants

Dear «Title» «LastName»:

Thank you for submitting a proposal requesting financial assistance to conduct a 604(b) Water Quality Management Planning Project. DEP received 10 proposals with a request amount totaling \$650,056. DEP concluded evaluation of the proposals received under this Request for Proposals. A review committee evaluated proposals using the weighted criteria outlined in the RFP.

I am pleased to inform you that the referenced proposal scored high enough to receive a 604(b) grant. The grant award is dependent on DEP and EPA approval of the final scope of work and budget for the project. DEP will contact you as soon as possible to negotiate the scope of work and budget.

This is a final decision, subject to State Purchases Review Committee approval, of the Maine Department of Environmental Protection with regard to the Request For Proposals: 604(b) Water Quality Management Planning Grants. Any person aggrieved by the Award Decision may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 M.R.S.A. § 1825-E and the rules promulgated thereunder. The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine 04333-0009 within 15 calendar days of receipt of notification of the Award Decision.

Congratulations on development of a successful proposal. The Department welcomes the opportunity to help your organization improve and protect water quality. If you have any questions contact me at 287-7727 or norm.g.marcotte@maine.gov.

Sincerely,

Norm Marcotte, NPS Program Coordinator  
Division of Watershed Management  
Bureau of Land and Water Quality

## NO - Proposal Did Not Score High Enough

May ##, 2009

«Title» «FirstName» «LastName»  
«Company»  
«Address1»  
«Address2»  
«City» «State» «PostalCode»

Re: Notification of Award Decision

Proposal: «Title1»

Request For Proposals: 604(b) Water Quality Management Planning Grants

Dear «Title» «LastName»:

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I regret to inform you that the referenced proposal did not score high enough to receive a 604(b) grant award.

This is a final decision, subject to State Purchases Review Committee approval, of the Maine Department of Environmental Protection with regard to the Request For Proposals: 604(b) Water Quality Management Planning Grants. Any person aggrieved by the Award Decision may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 M.R.S.A. § 1825-E and the rules promulgated thereunder. The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine 04333-0009 within 15 calendar days of receipt of notification of the Award Decision.

The Department recognizes your organization invested considerable effort preparing the proposal. Please do contact me (287-7727 or norm.g.marcotte@maine.gov) if you would like information about the evaluation of your proposal.

Sincerely,

Norm Marcotte, NPS Program Coordinator  
Division of Watershed Management  
Bureau of Land and Water Quality

## NO - Proposal Not Acceptable

May ##, 2009

«Title» «FirstName» «LastName»  
«Company»  
«Address1»  
«Address2»  
«City» «State» «PostalCode»

Re: Notification of Award Decision

Proposal: «Title1»

Request For Proposals: 604(b) Water Quality Management Planning Grants

Dear «Title» «LastName»:

Thank you for submitting a proposal requesting financial assistance to conduct a 604(b) Water Quality Management Planning Project. DEP received 10 proposals with a request amount totaling \$650,056. DEP concluded evaluation of the proposals received under this Request for Proposals. A review committee evaluated proposals using the weighted criteria outlined in the RFP.

I regret to inform you that DEP determined the referenced proposal was not acceptable because it did not follow the requirements of the RFP. DEP could not accept the proposal from Maine NEMO because Maine NEMO is not a unit of government or interstate organization eligible to receive 604b grant funds. Refer to the RFP at Section 2 Eligible Grant Recipients.

This is a final decision, subject to State Purchases Review Committee approval, of the Maine Department of Environmental Protection with regard to the Request For Proposals: 604(b) Water Quality Management Planning Grants. Any person aggrieved by the Award Decision may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 M.R.S.A. § 1825-E and the rules promulgated thereunder. The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine 04333-0009 within 15 calendar days of receipt of notification of Award Decision.

The Department recognizes your organization invested considerable effort preparing the proposal. Please do contact me (287-7727 or norm.g.marcotte@maine.gov) if you would like information about the evaluation of your proposal.

Sincerely,

Norm Marcotte, NPS Program Coordinator  
Division of Watershed Management  
Bureau of Land and Water Quality