

DRAFT ONLY—DOES NOT REFLECT ADMINISTRATION POLICY OR POSITION

STATE BOARD OF CORRECTIONS

RFP# (RFP#-assigned by Purchases)

Request for Proposals for Financial Consulting/Accounting Services

RFP Coordinator:

Douglas F. Beaulieu
Member, State Board of Corrections
County Commissioner
County of Aroostook
144 Sweden Street, Suite 1
Caribou, ME 04736

(Phone#) (207) 493-3318
(e-mail address) doug@aroostook.me.us

(Fax#) (207) 493-3491

From the time this RFP is issued until award notification is made, all contact with the State regarding this RFP must be made through the aforementioned RFP Coordinator. No other person/State employee is empowered to make binding statements regarding this RFP. Violation of this provision may lead to disqualification from the bidding process, at the State's discretion.

Deadline for Submitted Questions: **November 25, 2011**, 5:00 p.m. local time

Proposals Due: **December 6, 2011** not later than 2:00 p.m. Local Time

AT

Division of Purchases
Burton M. Cross Building, 4th Floor, 111 Sewall Street
9 State House Station, Augusta ME 04333-0009

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STATE BOARD OF CORRECTIONS

Request for Proposals for Consulting and Accounting Services

PART I INTRODUCTION

A. Purpose and Background

The State Board of Corrections (“the Board”) on behalf of Maine counties seeks proposals to provide consulting and accounting services as defined in this Request for Proposal (RFP). This document provides instructions for submitting proposals, the procedure and criteria by which the Provider(s) will be selected and the contractual terms which will govern the relationship between the State of Maine, State Board of Corrections and the awarded Provider(s).

The State Board of Corrections is an autonomous body established by the Maine Legislature in 2007 and codified in Title 5, section 12004-G, subsection 6-C set up to slow the growth in spending for county operations. The Board’s statutory purpose and mission is to develop and implement a coordinated correctional system that demonstrates sound fiscal management, achieves efficiencies, reduces recidivism and ensures the safety and security of correctional staff, inmates, visitors, volunteers and surrounding communities. See 34-A MRSA § 1803 (1).

Specifically, the Board is charged with reducing the costs associated with county administration of 15 correctional facilities across the state. In order to meet its goals and statutory mandate, the board seeks consulting and accounting assistance to allow it to evaluate the accuracy and effectiveness of the financial accounting systems used by counties to reflect the financial needs of county correctional facilities in the context of county budgets.

Funding Sources:

The State has determined that the funding of county correctional facilities will come from two sources: the state property tax and the general fund as follows. First, the combined statewide total property tax to support daily operation of 15 county jails was permanently capped by the Maine Legislature at \$62, 300,000 annually. Second, the Board requests a general fund appropriation in each biennial budget cycle. For FY 2012/13, the Board received appropriations totaling \$13.6 million in each year of the biennium. All funding from special revenue sources and the general fund are required to be deposited in the State Board of Corrections Investment Fund and disbursed to counties pursuant to the Board’s statute.

Disbursements from Investment Fund:

The Board of Corrections is required by law to review, amend, if necessary, and approve each county’s correctional services budget prior to forwarding it to the Legislature.

Purpose of RFP:

The Board seeks the services of a Provider (an individual or firm) with specific demonstrated expertise in reviewing, analyzing and assessing the integrity of county correctional facility financial information reported to the Board by counties and entered into the Board’s existing financial reporting system (“CRAS”). Subsequent to this review and evaluation, the Board seeks specific recommendations from the provider regarding areas of county correctional spending that could be reduced producing savings and allow jail functions to be carried out more efficiently consistent with the goals and objectives of the Board.

B. General Provisions

1. Issuance of this RFP does not commit the State Board of Corrections to issue an award or to pay expenses incurred by a bidder in the preparation of a response to this RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations.
2. Subject to #6 below, all proposals should adhere to the instructions and format requirements outlined in this RFP and all written supplements and amendments, such as the Questions and Answers Summary, issued by the Board. Proposals are to follow the format and respond to all questions and instructions specified in Part IV. - Proposal Submission Requirements and Evaluation.
3. Bidders shall take careful note that only materials offered in the proposal, information provided through interviews (if any) and Board information of previous contract history will be criteria for award consideration. The proposal shall be signed by a person authorized to legally bind the Bidder and shall contain a statement that the proposal and the total fixed price contained therein will remain firm for a period of 180 days from the date and time of the bid opening.
4. The selected Bidder's proposal, including all appendices or attachments, will be incorporated in the final contract.
5. According to State procurement law, the content of all proposals, correspondence, addenda, memoranda, working papers and other medium which discloses any aspect of the request for proposals process will be considered public information when the award decision is announced. This includes all proposals received in response to this RFP, both the selected proposal(s) and the proposal(s) not selected, and the information in those proposals that a Bidder may consider proprietary in nature. Therefore, the State makes no representation it can or will maintain the confidentiality of such information.
6. The Board, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities for proposals received in response to this RFP.
7. The Board reserves the right to seek clarification of proposals submitted by bidders in response to this RFP.

C. Eligible to Submit Bids

Individuals, public agencies, private for-profit corporations and non-profit corporations [including 501(c) (3)] and institutions are invited to submit bids in response to this Request for Proposals. Significant experience in the fields of auditing, accounting and financial reporting systems auditing the financials of state and municipal entities is essential. [Certified Public Accountant licensure is preferred but not required.](#)

D. Contract Terms

The Board seeks a cost-efficient proposal to provide services, as defined in this RFP, for the anticipated contract period [January 1, 2012 through December 31, 2012](#). Please note that this estimated contract start date may need to be adjusted in order to complete all procedural requirements associated with this RFP and the contracting process. The actual contract start date will be established by a completed and approved contract.

Contract Renewal: Following the initial term of this Agreement, the contract may be [renewed once for up to one additional year, subject to continued availability of funding and provider performance satisfactory to the Board.](#)

There will be one award covering all 15 county and regional correctional facilities.

E. Target Population (Optional)

[The target population includes all county and regional jails within the State of Maine.](#)

F. Definitions (Optional)

PART II SCOPE OF SERVICES

A. Required Services & Expectations

1. Develop a working understanding of how individual county/regional correction budgets are developed and funded.
2. Review revenue and expenditures information for each county or regional correctional facility between July 1, 2009 through June 30, 2011 and provide a comparative analysis of significant variances including reasons for those variances.
3. Review and analyze county correctional services fund balance data. Develop a fund balance proposal for consideration by the Board which balances the needs of individual county and regional facilities against the financial resources of the Board's Investment Fund.
4. Analyze similarities and differences in line item expenditures by county and object code and recommend changes that permit similar expenditures to be compared.
5. Identify categories of spending that could be consolidated to achieve savings through economies of scale including but not limited to sharing of administrative personnel and reinvestment strategies.
6. Analyze and evaluate the existing computerized financial reporting system ("CRAS") to ensure the Board makes disbursements based on sound financial data and legitimate county need.
7. Assist in the development of a coherent capital improvement plan to avoid physical deterioration of county jail facilities.
8. Assist in the development of strategies and incentives to ensure county compliance with the Board's financial reporting system.
9. Review and analyze county/regional jail audits and based on those audits, formulate recommendations to enhance the fiscal integrity of the financial reporting system.

B. Required Periodic Reports to Board of Corrections; Participation at Board Meetings

The Provider will submit bi-weekly written status reports to the Board describing county personnel contacted, and work completed as well as recommendations for change in the process of accounting for funding provided by the Board through the Investment Fund. In addition, the Provider will be expected to attend and participate in Board discussions in areas covered under Part II, Scope of Work. The Provider will also be expected to attend and participate in meetings of the Corrections Working Group (CWG) as needed.

C. Final Report to Board of Corrections of recommended system changes to achieve savings in county correctional budgets

The Provider will submit a final written report to the Board on or before a date to be determined by the Board that includes recommendations for 1) changes in policy or procedure that would streamline the Board's processes; 2) identify areas of possible efficiencies and reinvestment strategies; and 3) methods of improving the overall integrity of the correctional accounting system.

In addition, the Provider should be prepared to provide analysis of the financial reporting system and recommendations for enhancing its accuracy and usefulness to the Board and county and regional correctional facility managers.

PART III KEY RFP EVENTS

A. Bidders Conference (Optional)

The Department will sponsor a Bidders' Conference concerning this RFP beginning at (time) local time on (date), at (place – include complete address)

The purpose of the Bidders' Conference is to answer and/or field questions, clarify for potential bidders any aspect of the RFP requirements that may be necessary and provide supplemental information to assist potential bidders in submitting responses to the RFP.

B. Questions

1. General Instructions

- a. It is the responsibility of each Bidder to examine the entire RFP and to seek clarification in writing if you do not understand any information or instructions.
- b. Questions must be submitted in writing and received by the RFP Coordinator as soon as possible but no later than the date and time specified below.
- c. Questions may be submitted by e-mail, fax or regular mail. If faxed, please be sure to include a cover sheet addressed to **Douglas F. Beaulieu**, RFP Coordinator, and indicate the number of pages sent. The Department assumes no liability for assuring accurate/complete fax or e-mail transmission and receipt.
- d. Include a heading with the RFP Number and Title. Be sure to refer to the page number and paragraph within this RFP relevant to the question presented for clarification, if applicable.
- e. Send written questions to:

RFP Coordinator: Douglas F. Beaulieu
Member, State Board of Corrections
County Commissioner
County of Aroostook
144 Sweden Street, Suite 1
Caribou, ME 04736

(Phone#) (207) 493-3318
(e-mail address) doug@aroostook.me.us

(Fax#) (207) 493-3491

2. **Written Questions Due:** Written questions must be received by the RFP Coordinator no later than 5:00 p.m. local time on **November 18, 2011** No questions will be accepted after the Written Question due date.
3. **Summary of Questions and Answers (Q&A)**
Responses to all substantive questions will be compiled in writing and distributed to all registered, interested persons by e-mail no later than seven (7) calendar days prior to the proposal due date. Only those answers issued in writing by the RFP Coordinator will be considered binding.

C. Submitting the Proposal

1. **Proposals due:** Proposals must be received no later than December 6, 2011 -- by **2:00 p.m. local time**, at which time they will be opened.
2. **Mailing/Delivery Instructions:**

PLEASE NOTE: The proposals are not to be submitted to the RFP Coordinator at the Board. The official delivery site is a different State agency at a different location. The Board does not receive the proposals directly as they are logged in at the official delivery site, held until the filing deadline has expired and then the proposal packages are turned over to the sponsoring agency to be evaluated.

- a. Only proposals received at the official delivery site prior to the stated deadline will be considered. Bidders submitting proposals are responsible for allowing adequate time for delivery. Proposals received after the 2:00 p.m. deadline will be rejected without exception. Postmarks do not count and faxing or electronic mail transmissions of proposals are not permitted.
- b. The bidder must send a sealed package including an **original and 9 copies** of the complete proposal. Please clearly label the original. One electronic copy of the proposal must also be provided on CD or flash drive with the complete narrative and attachments in MS Word format. Any attachments that cannot be submitted in Word format may be submitted as Adobe (.pdf) files.
- c. Address each package as follows (Be sure to include the Bidder's full business name and address as well as the RFP number and title):

Bidder Name/Return Address

Division of Purchases, DAFS
Burton M. Cross BLDG 4th Floor
111 Sewall ST
9 State House Station
Augusta ME 04333-0009

(RFP# assigned by Purchases)

PART IV PROPOSAL SUBMISSION REQUIREMENTS AND EVALUATION

This section contains instructions for Bidders to use in preparing their proposals. The Bidder's proposal must follow the outline used below, including the numbering and section and sub-section headings as they appear here. Failure to use the outline specified in this section or to respond to all questions and instructions throughout this document may result in the proposal being considered non-responsive or a reduced score. The Department and its Evaluation Team described in Section C (1) below have sole discretion to determine whether a variance from the RFP specifications should result in either disqualification or reduction in scoring of a proposal. **Please Note: Rephrasing of the content provided in this Request for Proposal will, at best, be considered minimally responsive.** We are interested in a detailed yet succinct response that demonstrates your experience and ability to perform the requirements specified throughout this document.

A. Proposal Format

- a. Each copy of the completed proposal may only be fastened by means of an expansion (paper clip style) or gripper (pinch type) clamp at the upper left-hand corner. Do not submit 3-ring binders or other types of fasteners unless specifically requested.
- b. The narrative portion of the proposal must be typed or printed, single spaced and single sided, 1" margins on white 8 ½" x 11" paper using a font no smaller than 12 point Times Roman.
- c. All pages must be numbered consecutively beginning with number 1 on the first page of the narrative (this does not include the cover page or table of contents pages) through to the end including all forms and attachments. The Bidder's name should appear on every page, including Attachments. Each Attachment must reference the section or subsection number to which it corresponds.
- d. Bidders are asked to be brief and to respond to each question and instruction listed in Part IV, Proposal Submission Requirements and Evaluation. Number each portion of the proposal to correspond to the relevant section of the RFP. The narrative is limited to a total of 20 pages. This includes the Work Plan, the Cost Proposal narrative and other items not listed below (e).
- e. The following will not be counted as narrative: Proposal cover page, table of contents, financial forms or any required attachments specified in the RFP, organizational chart, Board of Directors list, job descriptions, staff résumés, Articles of Incorporation and the Assurances form included with Appendix A, Proposal Forms.
- f. The Bidder may not substitute additional attachments beyond those specified in the RFP for the purpose of extending their narrative response. Any material exceeding the narrative limit will not be considered in rating the proposals. Bidders shall not include brochures or other promotional material with their proposals.
- g. Include any forms provided in the application package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in the RFP.
- h. It is the responsibility of the bidder to provide all information requested in the RFP package at the time of submission. Failure to provide information requested in this RFP may, at the discretion of the Evaluation Review Team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.
- i. Proposal Cover Page Required: Complete and submit the proposal cover page provided in Appendix A of this RFP or prepare a facsimile thereof. The cover page must be the first page of the proposal package. Please do not add any other type of cover or title sheet and please do not use any transmittal letter. It is important that the cover page show the specific information requested including applicant address(es), amount of money being requested from this RFP and other details listed.
- j. The proposal cover page shall be dated and signed by a person authorized to enter into contracts on behalf of the bidder.

B. Proposal Outline

Section I Organization Qualifications and Experience

1. Description of the Organization

Present a detailed statement of qualifications and summary of relevant experience. If subcontractors are to be used, specify name, address, phone number, contact person and describe organizational capacity and qualifications.

1.1 Organization Description and Qualifications:

- a. [Physical business address of bidder.](#)
- b. Attach documentation of Maine CPA licensure.
- c. Attach a copy of the Bidder's Articles of Incorporation; if applicable (see Section IV Attachments for details about typical documentation.)
- d. If applicable, attach a list of the current Board of Directors or other governing body whose membership represents the area served. Include full names, addresses, and identify the officers of the Board (i.e., Chair, Vice-Chair, Secretary, Treasurer, etc.).
- e. Describe any organizational changes that are proposed for the Bidder. Also indicate any plans for mergers, acquisitions or buy-outs.
- f. [Attach a copy of the face page of the Bidder's general liability, professional liability and any other relevant liability insurance policies that might be associated with this contract.](#)
- g. [Attach a list all current litigation in which the Bidder is named and a list of all closed cases in which Bidder paid the claimant either as part of a settlement or by decree. For each, list the entity bringing suit, the complaint, the accusation, amount and outcome.](#)

1.2 Organization Experience:

Briefly describe the history of the Bidder's organization, especially regarding skills pertinent to the specific work required by the RFP and any special or unique characteristics of the organization which would make it especially qualified to perform the required work activities. Include similar information for any subcontractors.

1.3 Description of Experience with Similar Projects

- a. Provide information on projects that reflect experience and expertise needed in performing the functions described in Scope of Services (Part II). If there were any cited experiences, briefly describe them and explain how they were corrected. Please note: Contract history with the State of Maine will be considered in rating the proposal.
- b. If the Bidder has not provided similar services, note that, and describe experience with projects that highlight the Bidder's general capabilities.
- c. **Letters of Recommendation** may be attached from persons who are familiar with the bidder's experience and success with services or projects. In particular, the letters should address degree of satisfaction with the bidder's performance. No more than three letters of recommendation will be accepted. Copies of the letters must be enclosed with each copy of the proposal package.
- d. **Memorandum of Understanding:** Please provide any evidence of existing or proposed affiliations or collaborations. Attach documentation such as a Memorandum of Understanding (MOU) or letters of agreement from key partners. An MOU is a written statement from a collaborative partner named in your proposal signifying the partner's commitment to do the work. Note: We are NOT looking for letters of "support," but statements of a more substantial commitment.

2. Key Personnel and Qualifications

- a. Attach an organization chart showing the key staff for this project and their functional and reporting relationship to other elements of the organization.
- b. List the names and titles of all key staff for this project including the name and title of the manager who will be accountable for this project. The Bidder should also list which project staff will be transitional (if any) or permanent. Attach: résumés and/or job descriptions consistent with the organization chart requested above.

Section II Specifications of Work to be Performed

1. Services to be Provided

Refer to Part I & Part II of this RFP: Discuss the scope of services that the provider will offer. Give particular attention to describing the methods and resources you will use and how you will accomplish the tasks involved. If subcontractors are involved, clearly identify the work each will perform. Bidders are also to address how the goals listed in Part II, Section B will be achieved and describe what methods will be used to measure and verify performance indicators.

2. Implementation: Work Plan (Optional)

Provide a realistic work plan for the implementation of the program through the first contract period. Display the work plan in a timeline chart. Concisely describe each program development and implementation task, the month it will be carried out and the person or position responsible for each task. Include all tasks to be delegated to subcontractors. This must be consistent with your staffing and budget.

Section III Cost Proposal

1. General Instructions

- 1.1 The Bidder must submit a cost proposal covering the entire period of the contract. Please use the expected contract start date of [January 1, 2012](#) and end date of [December 31, 2012](#) in preparing this section.
- 1.2 The cost proposal shall include the costs necessary for the Bidder to fully comply with the contract terms and conditions, RFP requirements and any amendments to those requirements and the responses provided in the bidder's proposal. For information that is not applicable, please identify it as such by indicating N/A, and explain.
- 1.3 Failure to provide the requested information, or to follow required response format, may result in the exclusion of the proposal from consideration, at the discretion of the Board.
- 1.4 No costs related to the preparation of the response to this RFP or to the negotiation of the contract with the Department may be included in the proposal. Only costs to be incurred after the contract effective date that are specifically related to the implementation or operation of contracted services may be included in the budget.
- 1.5 [Attach copies of the Bidder's audited financial statements for three most recent years.](#)

Section IV Required Attachments

The following documents must be attached to the back of your Application Package in the order as numbered below. The required documents will be reviewed and rated by the Evaluation Team.

1. **Organizational Chart** - Attach an organizational chart of the Agency responding to this RFP. The organizational chart must include the program/component being proposed. Each position must be identified by position title and correspond to the personnel job descriptions required in Item No. 3 below.
2. **Job Descriptions** - Attach job descriptions for all staff assigned to the project being proposed in this RFP. Job descriptions must include minimum qualifications. If your organization administers programs other than the one being proposed in this RFP, include job descriptions of the Executive Director and chief fiscal officer and any other key management staff who will be responsible for carrying out the objectives of the program/component being proposed.

3. **Staff Résumés** - Attach up-to-date résumés of current staff members that match up with the job descriptions requested above. Position titles must be the same as the position titles on each job description and on the organization chart.
4. **Organizational Status** – If legally incorporated in the State of Maine or other jurisdiction, attach a copy of your organization’s attested Articles of Incorporation. Specifically, this would usually be Form MBCA-6 (For-Profits) or Form MNPCA-6 (Non-Profits) from the Secretary of State. Also acceptable for non-profits: a copy of authorization from the Federal Department of the Treasury, certifying Exemption under Section 501(c) (3) of the Internal Revenue Code. Public non-profit organizations may provide certification on appropriate agency letterhead, signed by a public official authorized to enter into contracts on behalf of the public entity. If applying for corporate status, attach a copy of your organization’s application for incorporation, i.e., unattested copy of your organization’s Articles of Incorporation.
5. **Provision of Contract Services by Foreign Nationals or Work Performed Abroad.**
The 122nd Maine Legislature passed 2005 Resolve, Chapter 16, requesting that certain information regarding any contracted service work to be performed abroad, or to be performed by foreign nationals, be reported. This has been added to the Standard State Agreement contract format as Rider G. To assist with this effort during the process of selecting potential contractors, the Board requests Bidders to provide the appropriate information in Rider G, attached with Appendix A.
6. **Assurances:** - Signed Assurances for compliance with various State and Federal requirements (A form is provided with other Proposal documents, Appendix A, titled Proposal Cover Page and Required Forms.)
7. **Examples of work products:** The bidder is asked to submit examples of work products to demonstrate qualities addressed in the proposal. Attachments are limited to up to three examples per requested item and no more than 5 pages per example. For any example involving more pages, a representative extract will be acceptable as best demonstrates the quality of work for which the example is requested.

C. Proposal Evaluation and Selection:

Evaluation of the submitted proposals shall be accomplished as follows:

1. Evaluation Process - General Information

- a. An evaluation team composed qualified reviewers will judge the merits of the proposals in accordance with the criteria defined in this RFP.
- b. Officials responsible for making decisions on the selection of a contractor shall ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the bidder whose proposal best satisfies the criteria of the RFP
- c. The Department reserves the right to schedule interviews with the bidders if needed to obtain clarification of information contained in the proposals and may revise the scores assigned in the initial evaluation to reflect those interviews. However, the Department reserves the right to make a contract award without any further discussion with the bidders regarding the proposals received. Therefore, proposals should be submitted initially on the most favorable terms available from a price and technical standpoint.

2. Scoring Weights and Process

- a. **Scoring Weights:** The score will be based on a 100 point scale and will measure the degree to which each proposal meets the following criteria. Information gathered as part of reference checks will be included when applicable:

Section I. Organization Qualifications and Experience (30 points)

Includes organizational and personnel qualifications, required credentials, operational site(s), experience with similar projects and service populations, references, etc.

Section II. Specifications of Work to be Performed (45) points

Includes methods and policies for conducting the functions outlined in this RFP, capacity for meeting Board objectives, timeline and process for implementing the project, through the first contract period.

Section III. Cost Proposal (25 points)

Includes total cost and budget to perform all functions outlined in this RFP, accuracy and completeness, financial stability, assumptions used in calculating the costs.

- b. **Scoring Process:** The review team will use a consensus approach to evaluate the bids. Members of the review team will not score the proposals individually but instead will arrive at a consensus as to assignment of points on each category of each proposal. However, the Cost section will be scored according to a mathematical formula described below.
- c. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in this RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded **XX points**. Proposals with higher bids will be awarded proportionately fewer points calculated in comparison with that lowest bid.
(Some examples of proposal bid amounts requested in a RFP have been total funding to perform service and a set unit rate.
 - i. The scoring formula is:
(Lowest submitted cost/cost of proposal being scored) x (insert max. cost points available) = pro-rated score

No Best and Final Offers: The State of Maine will not seek a best and final offer (BAFO) from any bidder in this procurement process. All bidders are expected to provide their best value pricing with the submission of their proposal.

(You can choose to base the cost score on the formula only. However, if you wish to allocate points to evaluate/score budget forms and supporting budget material you must include the section above.)

- d. The Board reserves the right to negotiate with the successful bidder in the finalization of the contract at the same rate or cost of service as presented in the selected proposal. However, such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department's Request for Proposals to an extent that may affect the price of goods or services requested. (5 MRSA 1825-A sub-section 7) The Board reserves the right to terminate contract negotiations with a selected respondent who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP.

3. Selection and Award

- a. The final decision regarding the award of the contract will be made by representatives of the Board subject to approval by the State Purchases Review Committee.
- b. Notification of selection or non-selection will be made in writing and forwarded by e-mail and fax

with original letter to follow by regular mail.

- c. Issuance of this RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to this request or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the bidder.
- d. The Board reserves the right to reject any and all proposals or to make multiple awards.

PART V CONTRACT ADMINISTRATION & CONDITIONS

A. Contract Effective Date and Project Commencement

1. The successful bidder will be required to execute a standard State of Maine Agreement. A list of Applicable Riders is as follows:

Rider A: Specification of Work to be Performed

Rider B: Method of Payment and Other Provisions (Included in this section)

Rider C: Exceptions to Rider B

Rider D: Additional Requirements

Rider E: Program Requirements

Rider G: Identification of Country in Which Contracted Work Will Be Performed

Rider I: Assurance of Compliance

The complete set of current contract documents may be found on the Department's Division of Purchases web site:

http://www.maine.gov/purchases/forms/BP54_EO_Compliance_091809.doc

2. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Purchases Review Committee. "A contract is not considered fully executed and valid until approved by the State Purchases Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to bidders." (Regulations of the Department of Administrative and Financial Services, Bureau of General Services, Division of Purchases: Ch. 110, 3.B.i.):
<http://www.maine.gov/purchases/policies/chapter110.html>

This provision means that a contract cannot be effective until at least 14 days after award notification.

3. The Board estimates having the Agreement in place by January 1, 2012. However, we recognize that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation and preparation and approval by the Contract Review Committee. Any appeals to the Board's award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date may need to be adjusted, if necessary, to comply with mandated requirements.
4. Independently, and not as an agent of the State of Maine, the contractor shall furnish all necessary labor, materials, equipment, qualified personnel, facilities and services, as needed to perform and provide the services described.

B. Standard State Agreement Provisions

1. Agreement Administration

- a. Following the award, an Agreement Administrator from the Board will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after award for consultation with the successful bidder in the finalization of the contract.
- b. In the event that an acceptable contract cannot be negotiated, the Board may withdraw its award and accept the next-highest ranked bid that meets the requirements, or may cancel the RFP, at its sole discretion.
- c. The Board will designate a primary liaison who will provide data and information to the contractor as necessary. The Board shall assure its best efforts to provide reasonable and timely resolution of questions of policy or procedure as they affect the execution of the contract.

2. Program Administration

Following the award, a Board representative will be designated as the Program Administrator for this Agreement and shall be responsible for oversight of the programmatic aspects of this Agreement. The Program Administrator will work closely with the Agreement Administrator in developing the final contract and in monitoring the achievement of objectives and desired outcomes as set forth in this Request for Proposals.

3. Payments and Other Provisions

[The Contractor will be paid on the basis monthly invoices submitted by the contractor.](#)

The first payment will be issued 15 days after first invoice is submitted.

4. Standard Contract Requirements

Any contract or Agreement issued by the Board requires the provider to comply with certain standard requirements. Please refer to the list of Riders applicable to this RFP in section 1.1 above.

PART VI BIBLIOGRAPHY

The following documents are rules, policies and other resource materials referenced in the body of this RFP. They provide detailed information that will assist the Bidder in preparing a proposal in response to this RFP. Bidders should familiarize themselves with these materials as they are integral to the services being requested.

<http://www.mainelegislature.org/legis/statutes/34-A/title34-Ach1.rtf>

(State Board of Corrections enabling statute)

<http://www.maine.gov/corrections/BOC/index.shtml>

(Board of Corrections Website)

APPENDIX A

Proposal Cover Page and Required Forms

**State of Maine
STATE BOARD OF CORRECTIONS
PROPOSAL COVER PAGE**

RFP (RFP# assigned by Purchases): (RFP Title)

Applicant/Agency:		
Chief Executive Name/Title:		
TEL:	FAX:	E-mail:
Street Address:		
City/State/Zip:		
Federal Taxpayer ID Nbr:		
Program Manager		Lead Person: Proposal Preparation
Name:	Name:	
Address:	Address:	
TEL:	TEL:	
Fax:	Fax:	
e-mail:	e-mail:	

Funding Requested	\$
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- This proposal and the total fixed price contained herein will remain firm for a period of 180 days from the date and time of the bid opening.
- No personnel currently employed by the Department or any other State agency participated, either directly or indirectly, in any activities relating to the preparation of the Bidder’s proposal.
- No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal.
- The undersigned is authorized by the Board of Directors [or other head official of the bidding organization] to enter into contractual obligations on behalf of the above-named organization. To the best of my knowledge all information provided in the enclosed proposal, both programmatic and financial, is complete and accurate at the time of submission.

Authorized Signature Date

Name and Title (Typed)

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2. Key Personnel and Qualifications.....	
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ASSURANCES

1. Federal and State Compliance

The bidder will comply with all applicable, required State and Federal statutes, regulations and requirements, including all applicable Civil Rights, Affirmative Action, and Confidentiality compliance assurances. In addition, the bidder agrees to cooperate with legally constituted Federal or State financial or program audits, requests for information or reports.

2. Reporting

The bidder will comply with reporting requirements as agreed upon during the contract negotiation stage.

3. Financial Requirements

The bidder assures that there are no past, current or outstanding claims against the bidder for failure to perform, financial insolvency, bankruptcy, negligence or malfeasance; citation of any contracts which were canceled or terminated for failure to perform, financial insolvency, bankruptcy, negligence or malfeasance. (If any, attach explanation.)

4. Organizational Requirements

The bidder assures that there is no current or potential conflict of interest in their potential selection as contractor or in the performance of their responsibilities as part of this project. (Note: The following condition would represent such a conflict of interest: hiring or contracting for assistance in the preparation of this proposal with an individual or organization that has been paid for work involved in the preparation of this RFP. The bidder may request, in writing, a clarification regarding a possible conflict of interest. This request must include a precise description of the relationship between the bidder and any other entity, and/or the circumstances, past, present or anticipated which might account for the conflict of interest.)

5. Sanctioned Employees

The bidder will certify that neither it nor any of its employees or principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any Federal department or agency.

By signing this form, the bidder provides assurance of compliance with all the above-listed requirements.

Signature

Date

Name (typed)

Title (chief executive officer)

Organization or Corporate Name