



STATE OF MAINE
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GOVERNOR

DEPARTMENT OF CONSERVATION
MAINE LAND USE REGULATION COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022



PATRICK MCGOWAN
COMMISSIONER

Request for Proposals – April 21, 2005

SEEKING A CONTRACTOR TO ASSIST IN COORDINATING THE PROCESSING OF A CONCEPT PLAN PROPOSAL IN THE MOOSEHEAD LAKE AREA

The Maine Land Use Regulation Commission, Department of Conservation, is soliciting bids from consulting firms experienced in land use planning, facilitation and consultation to assist the Commission as it processes a petition to rezone approximately 400,000 acres in the Moosehead Lake area in order to implement a concept plan.

PURPOSE

The Commission has received a petition to rezone approximately 400,000 acres in the Moosehead Lake area in order to implement a concept plan. Given the anticipated unique size and scope of this plan on the Commission's jurisdiction, it is important that the Commission conduct a comprehensive, objective and timely review of the proposal. As a result, the Commission is seeking consultant assistance to take on certain roles and responsibilities related to the processing of the Plum Creek application, as identified in the work specifications below.

The Department of Conservation is committed to conducting this procurement in an open and competitive manner in full compliance with State and federal regulations and policies. The selected contractor will be responsible for providing services to meet the requirements identified in this Request, and will be held accountable for meeting these requirements.

The successful bidder will be expected to enter into a Standard State of Maine Agreement to Purchase Services (BP54), a copy of which is attached to this Request. Submission of a proposal in response to this Request will be understood as the bidder's acceptance of the standard contract's terms and conditions.

BACKGROUND

The Commission was created by the Maine Legislature in 1971 to serve as the planning and zoning authority for the state's areas which lack governments empowered to exercise local land use controls. The Commission's purpose is to extend the principles of planning and zoning; to preserve public health, safety and welfare; to encourage well-planned, multiple use of natural resources; to promote orderly growth; and to protect natural and ecological values (12 M.R.S.A., §681 et seq.).

The Commission established the "concept plan" process as a flexible alternative to traditional subdivision and development regulation, designed to accomplish both public and private objectives. Concept plans are landowner-created, long-range plans for the development and conservation of a large block of shoreland on a lake or group of lakes. The plans are a clarification of long-term landowner intent that indicate, in a general way, the areas where development is to be focused, the relative density of proposed development, and the means by which significant natural and recreational resources are to be protected. Concept plans are initiated by a landowner and must be approved by the Commission.

The Commission's Comprehensive Land Use Plan describes concept plans in its discussion of the agency's lake management program. Concept plans are implemented by rezoning land to a Resource Plan Protection (P-RP) subdistrict. Additional information about concept plans and the Commission's review process and criteria for approval can be found on the web at www.maine.gov/doc/lurc/reference/resourceplans/moosehead.html.

WORK SPECIFICATIONS

The successful bidder will take on a number of project management and facilitation responsibilities during the course of the Commission's processing of the rezoning petition. In general, the contractor will serve as an advisor to the Commission in its review of the proposal. The contractor, together with the Commission staff and legal counsel, will scrutinize all application materials, as well as identify and summarize any legal or policy issues that may potentially arise as a result of the proposal. The contractor will also solicit feedback from interested parties and analyze concerns voiced about the proposal. The contractor will work with the Commission to advise the applicant on ways to resolve potential issues. In addition, the contractor may oversee and/or work in collaboration with other contractors, as needed, during the review and processing of the rezoning petition. Experience with public proceedings and stakeholder interactions, project facilitation, analysis of conservation easement language, and knowledge of rural land use planning principles is critical.

The Commission's staff anticipates making adjustments to the contractor's responsibilities as the proposal unfolds and unexpected needs arise. This is largely due to the anticipated unprecedented nature and scale of the proposal and, consequently, the Commission's relative uncertainty about the specific course of action that will be necessary in its review of such an application. In no instance, however, will the Commission's staff relinquish its decision-making duties in the analysis of this project. Ultimately, the decision to recommend approval or denial to the board of Commissioners will be the sole responsibility of the Commission's staff.

This contract will require a commitment of approximately 20 hours per week, on average, for a term of at least one year. It is feasible that there will be weeks where a shorter or longer time commitment will be necessary. There will also likely be a need for some in-state travel and over-night stays during the public hearing phase of this project.

The Commission will provide the successful bidder with copies of all application materials and other relevant information of use in this contract.

DEADLINES AND SUBMISSION OF PROPOSALS

Bids will be accepted until 2:00 P.M. local time on Friday, May 13th, 2005. Proposals received after the date and time specified will not be opened or considered, without exception. Bids must be mailed, in triplicate, in a sealed package addressed to:

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

Bids must be clearly marked "Sealed Bid - Department of Conservation, Proposal to Provide Project Coordination Services to the Maine Land Use Regulation Commission". Proposals will be publicly opened and the name of the bidders announced at the date, time and place specified above. No other information will be made public prior to evaluation and contract award notification. The State of Maine will not accept responsibility for any costs incurred by a bidder in the preparation of their proposal.

BASIS OF AWARD

It is the intention of the State of Maine that the written responses submitted shall be the primary basis for determining the successful bidder. The Commission, after reviewing the submitted written proposals, may, at its discretion, interview one or more of the bidders.

The selected proposal will be the proposal which, in combination, demonstrates thorough experience and personnel qualifications; has the lowest cost; includes an acceptable level of experience in regional land use planning and knowledge of the Commission's jurisdiction, particularly the Moosehead Lake area; and provides the greatest breadth of relevant staff expertise. Specifically, selections will be based on the following criteria:

- 45 points – Work plan and experience in addressing each of the roles identified in the work specifications.
- 30 points – Company experience, staff resource availability and personnel qualifications, and ability to commit to a flexible work schedule and accommodate unanticipated needs.
- 25 points – Proposal cost.

The State of Maine reserves the right to reject any or all proposals or to accept other than the lowest bid submitted. The Commission reserves the right to make a contract award without any further discussion with the bidders regarding the proposals received. However, the Commission reserves the right to conduct discussions with all responsible bidders who submit proposals determined to be reasonably susceptible of being selected for award.

The selected contractor must sign the contract and be prepared to start work as soon as possible but no later than one (1) week of final approval and encumbrance of the contract.

PROPOSAL REQUIREMENTS

The proposal submitted must contain the following:

1. **Bidder Qualifications** – A detailed description of the experience the bidder has to accomplish the roles and responsibilities in this proposal. References for three (3) prior clients that the agency may contact. A detailed description of the staff to be assigned, along with their qualifications and availability.
2. **Proposed Costs** – An itemized breakdown of the hourly rates of all staff to be assigned, including an estimated total cost of this contract (based on an average of 20 hours per week for one year). The hourly rate shall be a fully burdened rate inclusive of telephone, travel and other expenses.
3. **Reservations** – An explanation of any reservations to the requirements within this RFP.

REQUESTS FOR ADDITIONAL INFORMATION

Bidders should direct written questions regarding these specifications to Fred Todd, Manager of the Planning and Administration Division (e-mail fred.todd@maine.gov). All bidders will receive copies of responses to relevant questions raised by other bidders. Questions and requests for additional information received after 4:00 P.M. on Friday, May 6th, 2005, will not be answered. Phone inquiries will not be accepted and such calls may deem a proposal invalid.
