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| **RFI NUMBER AND TITLE:** | RFI# 202503050 Stewardship Organization for Packaging Stewardship Program |
| **RFI ISSUED BY:** | Department of Environmental Protection |
| **SUBMITTED QUESTIONS DUE DATE:** | May 16, 2025 |
| **QUESTION & ANSWER SUMMARY ISSUED:** | May 19, 2025 |
| **RESPONSE SUBSSION DUE DATE:** | May 30, 2025 |
| **RESPONSE SUBMISSION DUE TO:** | [MainePackagingEPR@maine.gov](mailto:MainePackagingEPR@maine.gov) |

**Below are submitted, written questions from respondents and the Department’s responses.**

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| **1** | **RFI Section & Page Number** | **Question** |
|  | Are entities that are not potential bidders welcomed/encouraged to participate in RFIs like this? AMERIPEN might have input on this topic but would not be a future bidder. |
| **Answer** | |
| The Request for Information (RFI) is for market research only. All entities are welcome to submit information. Respondents are not required to submit a proposal if an RFP is issued in the future. | |

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| **2** | **RFI Section & Page Number** | **Question** |
|  | In the RFI mentioned above, it states “The Department will contract with the selected SO for a 10-year period." Does this mean that there will be a 10-year base period for the contract or is it anticipated there will be a smaller base duration with additional option years totaling 10 years? I appreciate any info you’re able to provide. |
| **Answer** | |
| The Department will contract with the selected SO for a 10-year period, and during that time, the SO will have the option to establish contracts with service providers. Prior to the expiration of the initial 10-year contract period the Department will initiate the competitive procurement process for selecting the SO for the subsequent 10-year contract. | |

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| **3** | **RFI Section & Page Number** | **Question** |
|  | How does the SO plan to work with statewide recycling organizations? We were hoping that the chosen SO would embrace working with other Maine based statewide organizations so the wheel does not need to be reinvented. |
| **Answer** | |
| The purpose of this RFI is to gather information to inform the development of an RFP that encourages and ensures the SO works with existing statewide recycling organizations. It is the Department’s intention to help facilitate partnerships between the SO and statewide recycling organizations. | |

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| **4** | **RFI Section & Page Number** | **Question** |
| Part 1, B, page 5 | Will there be a process for potential bidders to seek clarification regarding certain elements of the rules and pending LD 1423 and how DEP envisions they will shape the program and the SO’s related obligations? |
| **Answer** | |
| The Department does not expect this to be necessary. [LD 1423](https://legislature.maine.gov/bills/display_ps.asp?snum=132&paper=SP0579&PID=1456), if passed, will not take effect until 90 days after the end of the legislative session. However, the Department will know the final language and disposition of LD 1423 in June 2025.  If LD 1423 does pass, the Department believes it will have enough time to incorporate the changes made to the law and their impact on the program’s rules ([06-096 chapter 428.docx](https://www.maine.gov/sos/sites/maine.gov.sos/files/content/assets/096c428.docx)) to integrate these into the Request for Proposal (RFP) for the stewardship organization prior to its anticipated posting this fall. | |

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| **5** | **RFI Section & Page Number** | **Question** |
| Part 1, B, page 6 | For planning purposes, can DEP provide additional detail regarding the RFP timeline and process? |
| **Answer** | |
| The timeline for program implementation is outlined on the [program’s website](https://www.maine.gov/dep/waste/recycle/epr.html). The Department plans to issue an RFP for the SO in the fall of 2025 and enter into a contract with the selected Bidder in the spring of 2026. | |

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| **6** | **RFI Section & Page Number** | **Question** |
| Part 1, D, #4, page 6 | This section indicates that there is no obligation for DEP to issue an RFP. Is there a different process DEP is considering? |
| **Answer** | |
| This section clarifies that not all issuances of an RFI result in an issuance of an RFP. In this instance, the Department plans to issue an RFP. According to [Section 3(A) of 38 M.R.S. 2146: Stewardship program for packaging](https://legislature.maine.gov/statutes/38/title38sec2146.html),  *[…] consistent with applicable competitive bidding requirements under state purchasing laws and following the initial adoption of rules by the department pursuant to* [*subsection 13*](https://legislature.maine.gov/statutes/38/title38sec2146.html) *to implement this section, the department shall issue a request for proposals for the operation of the packaging stewardship program by a packaging stewardship organization. […]* | |