**STATE OF MAINE**

**Department of Environmental Protection**

*Bureau of Remediation & Waste Management*



**RFP# 201905093**

**Pre-Qualified Vendor List for Environmental Consulting Services**

|  |  |
| --- | --- |
| **RFP Coordinator** | *All communication, including questions and proposal submission, regarding this RFP must be made using the email address below.*  **Contact Information:** [Laura.Gay@maine.gov](mailto:Laura.Gay@maine.gov) |
| **Submitted Questions Due** | *Questions regarding this RFP can be submitted at any time while this RFP is open. All questions must be submitted, by e-mail, to the address identified above. Please include RFP # 201905093 in the subject line of your email.* |
| **Proposal Submission** | *Proposals must be received by the Division of Procurement Services by:*  **Submission Deadline: September 12th, 2019** no later than 11:59 p.m., local time. *Proposals must be submitted electronically to the following address:*  **Electronic (email) Submission Address:** [Proposals@maine.gov](mailto:Proposals@maine.gov) |
| **Annual Enrollment** | *After the initial RFP proposal submission deadline, proposal evaluations will be held on an annual basis. Proposal submission deadline* ***will be 11:59 pm on the 1st business day in February*** *while the RFP is active. Proposals are required to be submitted prior to the submission date and time in order to be considered for that enrollment period.*  **Electronic (email) Submission Address:** [Proposals@maine.gov](mailto:Proposals@maine.gov) |

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# **PUBLIC NOTICE**

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**State of Maine**

**Department of Environmental Protection**

**RFP# 201905093**

**Pre-Qualified Vendor List for Environmental Consulting Services**

The State of Maine is seeking proposals to be considered for inclusion on a Pre-Qualified Vendor List for Environmental Consulting Services.

A copy of the RFP, as well as the Question & Answer Summary and all amendments related to this RFP, can be obtained at the following website: <http://www.maine.gov/dafs/bbm/procurementservices/vendors/pqvls>

Proposals must be submitted to the State of Maine Division of Procurement Services, via e-mail, to the following email address: [Proposals@maine.gov](mailto:Proposals@maine.gov). Proposal submissions must be received no later than 11:59 pm, local time, on September 12, 2019. Proposals will be opened at the Burton M. Cross Office Building, 111 Sewall Street - 4th Floor, Augusta, Maine the following business day. Proposals not submitted to the Division of Procurement Services’ aforementioned email address by the aforementioned deadline will not be considered for contract award.

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**RFP DEFINITIONS/ACRONYMS**

The following terms and acronyms shall have the meaning indicated below as referenced in this RFP:

|  |  |
| --- | --- |
| **Term/Acronym** | **Definition** |
| **Brownfields** | A property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. |
| **Department** | Department of Environmental Protection |
| **PQVL** | Pre-Qualified Vendor List |
| **RFP** | Request for Proposal |
| **State** | State of Maine |
| **ASTM** | ASTM International |
| **ACRES** | Assessment, Cleanup and Redevelopment Exchange System |
| **Brownfields** | A property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. |
| **CERCLA** | Comprehensive Environmental Response, Compensation, and Liability Act |
| **Department** | Department of Environmental Protection |
| **EDD** | Electronic Data Deliverable |
| **EGAD** | Environmental and Groundwater Analysis Database |
| **ESA** | Environmental Site Assessment |
| **HAZWOPER** | Hazardous Waste Operations and Emergency Response |
| **MBE/WBE** | Minority Business Enterprise/Women's Business Enterprise |
| **OSHA** | Occupational Safety and Health Administration |
| **PPE** | Personal Protective Equipment |
| **PQVL** | Pre-Qualified Vendor List |
| **QAPP** | Quality Assurance Project Plan |
| **RFP** | Request for Proposal |
| **RCRA** | Resource Conservation and Recovery Act |
| **SSHASP** | Site-Specific Health and Safety Plan |
| **SSQAPP** | Site Specific Quality Assurance Project Plan |
| **State** | State of Maine |
| **USEPA** | United States Environmental Protection Agency |

**State of Maine - Department of Environmental Protection**

**Bureau of Remediation & Waste Management**

**RFP# 201905093**

**Pre-Qualified Vendor List for Environmental Consulting Services**

# **PART I INTRODUCTION**

## A. Purpose and Background

The Maine Department of Environmental Protection (Department) is seeking proposals to provide environmental consulting services as defined in this Request for Proposals (RFP) document. 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) and the awarded Bidder(s).

All submittals must meet the minimum requirements for the Environmental Consultant category to be considered Prequalified. If your company **also** meets the minimum requirements for Brownfields you will be able to bid on those mini-bids as well. Requirements are listed under Part II-Basic Requirements.

The Department will prequalify Environmental Consultants to assist Department staff, primarily from the Bureau of Remediation and Waste Management, at petroleum, hazardous substance/Uncontrolled sites, Brownfields, but also other tasks as requested by the Department.

The Department’s Bureau of Remediation and Waste Management is charged with identifying and mitigating threats to the environment and public health associated with the release of hazardous substances and petroleum. Through this RFP process, the Department seeks professional environmental consulting services experienced with the science and techniques to perform investigations and remediation to protect public health and the environment

## B. General Provisions

1. 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.
2. Issuance of this RFP does not commit the Department 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, where applicable.
3. All proposals should adhere to the instructions and format requirements outlined in this RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Proposals are to follow the format and respond to all questions and instructions specified below in the “Proposal Submission Requirements” section of this RFP.
4. Bidders shall take careful note that in evaluating a proposal submitted in response to this RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Bidder (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities.
5. The proposal shall be signed by a person authorized to legally bind the Bidder and shall contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 180 days from the date and time of the bid opening.
6. The RFP and the selected Bidder’s proposal, including all appendices or attachments, shall be the basis for the final contract, as determined by the Department.
7. Following announcement of an award decision, all submissions in response to this RFP will be 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.).

<http://www.mainelegislature.org/legis/statutes/1/title1sec401.html>

1. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to this RFP.
2. The State of Maine Division of Procurement Services reserves the right to authorize other Departments to use the contract(s) resulting from this RFP, if it is deemed to be beneficial for the State to do so.
3. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be the Bidder’s responsibility to determine the applicability and requirements of any such laws and to abide by them.

## C. Eligibility to Submit Bids

All interested parties are invited to submit bids in response to this Request for Proposals.

## D. Pre-Qualified Vendor List Term

The Department is seeking a cost-efficient proposal(s) to provide services, as defined in this RFP, for the anticipated Pre-Qualified Vendor List (PQVL) period defined in the table below. Please note that the dates below are estimated and may be adjusted, as necessary, in order to comply with all procedural requirements associated with this RFP process. Utilization of a PQVL for will begin once the RFP process has been finalized.

The term of the anticipated PQVL, resulting from this RFP, is defined as follows

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Initial Period of Performance | 9/1/2019 | 8/31/2024 |

This RFP offers an annual open enrollment for new vendors to be included on the pre-qualified vendor list. Once selected, vendors do not need to reapply. Proposals will be accepted from vendors not currently on the PQVL as long as this RFP is active.  Proposals submitted during the annual open enrollment will be evaluated and the vendors will be notified of the decision within 30 days.

## E.     Mini-Bid Process and Awards

Once the pre-qualified list is established, the Department will notify all pre-qualified vendors when specific services are needed. Each vendor on the PQVL will be given a description of the particular services needed and asked to respond within a specific timeframe with information on how that vendor proposes to provide the particular services, along with the project-specific cost proposal for those services. Vendors should respond to each mini-bid with their proposal or provide a “no-bid” as a response. The Department will then select one vendor based on the project-specific cost proposal submitted during the “mini-bid” process of those pre-qualified vendors who can meet the specific service requirements.

The Department reserves the right to select vendors from the pre-qualification list without using the mini-bid process for emergencies (if the need arises). The Department also retains the discretion to issue new RFPs for specific projects. Providers for those projects will not be selected from the PQVL, but rather through the separate RFP or other procurement process based on the Department’s specific needs/timelines.

**PART II SCOPE OF SERVICES TO BE PROVIDED**

For the purposes of this RFP the Scope of Work includes, but is not limited to:

1. **Basic Requirements**
2. Personnel must have satisfactorily completed 40-hour HAZWOPER safety training and maintain a current OSHA field certification for working on hazardous substance and petroleum remediation sites. Documentation of such will need to be submitted within your RFP submittal. Project-specific requirements will be specified in mini-bids.
3. The Vendor must have a Maine Certified Geologist on staff/payroll. Some tasks may require a Registered Professional Engineer. Vendors who wish to bid on these projects should have a Registered Professional Engineer on staff or will be able to sub-contractor an Engineer if the mini bids call for one. A mini bid where one is required, a certificate will need to be submitted along with the bid.
4. The Vendor must be able to submit environmental data (laboratory data and field data) to the Department in a Department-approved Electronic Data Deliverable (EDD) format for uploading to the Department database (EGAD). Failure to provide completed EDDs could subject the Vendor to removal from the pre-qualified list or rejection of payment for environmental data gathering tasks until the data is received in an acceptable format.
5. The Vendor must be able to demonstrate direct experience conducting hazardous substance and/or petroleum site investigations (5 projects within the past 3 years) including, but not limited to:
   1. Maine Voluntary Response Action Program investigations and clean-ups
   2. CERCLA Remediation
   3. RCRA Corrective Action
   4. Other hydrogeology and remediation planning and implementation.

The projects must include experience following the Department’s policies, procedures and guidelines including, but not limited to:

* + - * 1. Remediation Guidelines for Petroleum Contaminated Sites in Maine
        2. Compendium of Field Testing of Soil Samples for Gasoline and Fuel Oil
        3. Maine Oil Groundwater Clean-up Fund
        4. Third Party Damage Claims
        5. Guidance for the Investigation and Clean-up of Hazardous Substances in Maine Remedial Action Guidelines
        6. Bureau of Remediation and Waste Management Standard Operating Procedures.

Together the 5 projects must demonstrate the Vendor’s capacity to cost-effectively:

* 1. Determine the fate and transport of hazardous substances and oil in various media;
  2. Determine the risk those contaminants pose to public health and the environment;
  3. Develop remedial alternatives;
  4. Implement selected remedies;
  5. Effectively communicate orally and in writing the Vendors finds, conclusions and actions, to a wide variety of audiences; and
  6. Use appropriate methods and tools to undertake the work.

1. To be eligible to bid on Brownfields sites the consultant must provide proof of a current USEPA, Region 1 and Department approved, Generic Brownfields Quality Assurance Project Plan (QAPP) which establishes the Vendor’s standard operating procedures, personnel responsibilities and training requirements to ensure that data collected at Brownfield sites is of an acceptable quality. The QAPP may be submitted to the USEPA and the Department, for approval, at any time during the contract period. The Vendor will be eligible to bid on Department Brownfields projects once evidence of the approved QAPP has been received by the Department.
2. **Tasks**

Work awarded through the mini-bid process will be commissioned with Task Orders that specify the specific work to be performed for a specified cost, and that are signed by the Department’s representative and the Vendor’s representative for the project. Work tasks resulting from this RFP include, but are not limited to the following:

**1. Conduct Initial Site Assessment**

The selected Vendor will be called upon to conduct an initial site assessment for projects assigned. This assessment may take the form of a Phase I Environmental Site Assessment (ESA), as defined in ASTM 1527, or a modified Phase I, (<https://www.astm.org/Standards/E1527.htm> as designated in the project-specific RFP. The goal of the initial site investigation is to become familiar with the site characteristics, site history (including previous work conducted) and identify potential areas and chemicals of concern. Tasks performed as part of the initial site investigation include, but are not limited to, the following:

1. Historical records search/Past site use
2. Deed research
3. Department file review
4. Identification of local drinking water supplies and surface water bodies
5. Definition of geological setting
6. Site walk over / reconnaissance
7. Visual survey of neighboring properties
8. Interviews with current and previous owners, operators and site occupants
9. Interviews with local, State and Federal officials

Initial site assessments will include the development or update of a preliminary conceptual site model which will serve to guide future phases of site work. The findings of the initial site investigation will be provided in a written report. The initial site investigation may or may not meet the requirements of All Appropriate Inquiry (as defined in Federal law) depending on the level of investigation requested in the site-specific RFP.

**2. Develop Investigation Work Plan**

The selected Vendor may be asked to submit a work plan for further environmental site investigation (Phase II ESA) at the discretion of the Department. The work plan should take the form of a site-specific Investigation Work Plan (for Brownfields sites this will be a site-specific Quality Assurance Plan) and include a budget. The work plan will detail recommendations for investigating areas of concern identified in the initial site assessment or as otherwise identified by the Department. The Investigation Work Plan will address each area of concern and environmental condition identified in the initial site investigation and propose a method of adequately investigating the associated concern, unless otherwise directed by the Department. Proposed sample locations, sample types (media, grab, composite), sample methodology (procedure and equipment), analysis (laboratory method, field screening method) and rationale for each proposed sample will be included.

**3. Develop Site Specific Health and Safety Plan**

Before beginning Phase II site investigation activities, the selected Vendor must develop a Site-Specific Health and Safety Plan (SSHASP). The SSHASP will list personnel health and safety requirements and procedures, relative to the project site and the work proposed in the Investigation Work Plan. For each field task during site investigation the SSHASP shall identify and or discuss:

1. Potential problems and hazards and their solutions;
2. Environmental surveillance measures including the monitoring of airborne contaminants released during site activities which may affect site workers and the local populations;
3. The appropriate level and rationale for selecting respiratory protection;
4. Specifications for protective clothing and other personal protective equipment (PPE), as well as criteria and procedures for upgrading the level of PPE required;
5. Criteria and procedures for suspending activity;
6. The exclusion zone, contamination reduction zone and clean area for on-site activities;
7. Health and safety screening equipment to be used on-site during field activities;
8. A list of emergency contact phone numbers including fire, police, ambulance and hospital;
9. Directions to the nearest hospital.

**4. Conduct Site Investigation**

Upon the Department’s approval of the Investigation Work Plan the selected Vendor will implement and oversee the site investigation. The site investigation will include sampling the various media (soil, water, sediment, soil gas, indoor air, building materials, tank contents, etc.). The scope of the investigation may also include the installation of groundwater monitoring wells, vapor intrusion assessment, building material surveys, aquifer evaluation (overburden, bedrock), private and public drinking water supply exploration, surface water and wetland evaluation and any other investigation tasks requested by the Department in order to investigate identified concerns. The information will be presented in a written report that summarizes the investigation and clearly addresses the nature and extent of concerns identified in the initial site investigation. The conceptual site model should also be refined as necessary, based on the findings of the site investigation.

**5. Routine Monitoring**

The selected Vendor may be asked to conduct routine monitoring at a site. This monitoring will consist of the collection and analysis of environmental samples and/or data. Data will be submitted to the Department in written and EDD formats.

**6. Conduct Feasibility Study**

The selected Vendor may be asked to conduct a feasibility study that evaluates the efficacy, efficiency, environmental impact and cost effectiveness of potential solutions to the various project concerns identified and quantified in the previous site investigation phases. The Feasibility Study must be overseen by a licensed Registered Professional Engineer. The study will be summarized in a written report presented to the Department.

**7. Develop Remedial Work Plan**

The selected Vendor may be asked to develop a work plan to implement the remedial solution selected from the feasibility study. The remedial work plan will include a description of the selected solution, pre-Design studies if necessary, steps to be taken to implement and monitor the effectiveness of the solution, equipment to be used, site restoration, Best Management Practices, a detailed budget and work schedule. Development of the Remedial Work Plan must be overseen by a Registered Professional Engineer. The work plan will be submitted to the Department for review and approval.

**8. Implementation of Remedial Solutions**

The selected Vendor will implement Department approved remedial activities. The Vendor is responsible for ensuring that the activities are completed as described in the work plan. The Department must approve any significant variation from the work plan. A written summary of remedial activities will be presented to the Department at the conclusion of the project. Depending upon the remedial activities, oversight by a Registered Professional Engineer (whether on staff or sub-contracted) may be required.

**9. Operation and Maintenance of Remediation Systems**

The selected Vendor may be asked to oversee the operation and maintenance of ongoing remediation systems. This will include routine monitoring, maintenance, and reporting as necessary, to ensure the continued effectiveness of the system.

1. **Additional Responsibilities**

The selected Vendor may also be responsible for the following, as necessary:

1. Secure site access.
2. Make all notifications to appropriate agencies and entities before, during and after initiating site work (DigSafe, Municipalities, State and Federal Agencies, etc.).
3. Obtain all required licenses, permits and permissions requisite to site investigation, remedial actions and disposal of hazardous and non-hazardous wastes.
4. Ensure that site workers are trained and qualified to work at hazardous substance sites in accordance with OSHA standards (i.e., 29 CFR 1910.120, 29 CFR 1910.146, etc.).
5. Oversee hired sub-contractors and ensure that site work is conducted in accordance with applicable State and Federal laws and regulations.
6. Follow Best Management Practices for controlling soil and erosion.
7. Conduct surveying
8. Assist the Department in public presentation of investigation findings and remediation plans.
9. Attend and assist Department staff at meetings with the public, responsible parties, government officials and other interested parties.

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1. **Program Specific Requirements**

Programs within the Department have specific requirements that they must adhere to as part of their QAPP, Grant, or ongoing process. Vendors submitting proposals to work on projects associated with these programs must be willing to comply with those requirements. Vendors not meeting program requirements will not be eligible to bid on projects within the respective program(s). Some examples of program specific requirements are:

**Brownfields**

The Initial Site Assessment tasks completed under Brownfields must meet the most current ASTM Standard Practice for Environmental Site Assessments: Phase I Site Assessment Process (E1527-13) (<https://www.astm.org/Standards/E1527.htm>). The development of a Conceptual Site Model must meet the current ASTM Standard Guide for Developing Conceptual Site Models for Contaminated Sites (E1689-95 (2014)) (<https://www.astm.org/Standards/E1689.htm>). The Site Investigation task must meet the most current ASTM Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process (E1903-11) (<https://www.astm.org/Standards/E1903.htm>). The Feasibility Study must be completed in accordance with the USEPA Analysis of Brownfields Cleanup Alternatives (ABCA).

The selected Vendor may also be asked to complete reporting requirements for USEPA (MBE/WBE, ACRES, etc.).

**Petroleum Program**

The petroleum program has reporting requirements for sites on the Groundwater Fund Priority List, including tasks for site closure. Selected contractors may be asked to complete the steps necessary for closure of a site.

This is not an exclusive list of program requirements. Project requirements will be detailed in the project-specific requests for proposals.

1. **Evaluation Procedure**

Vendors that perform work for the Department under any contracts that result from this PQVL may be subject to an assessment procedure. The procedure will consist of regular project performance assessments and annual Vendor assessments. At the completion of all work tasks or at the end of the year (whichever is most appropriate) Department staff associated with the project will fill out a project performance assessment. This assessment will document the efficiency, competency and professionalism of Vendor staff and sub-contractors, and the satisfaction of Department staff with the work performed. These assessment forms will be provided to the Vendor as feedback for their own information and records. An annual Vendor assessment will also be conducted addressing the overall satisfaction of the Department with the Vendor’s performance over the year. A meeting between the Vendor and Department program staff will be held where the Department can discuss with the Vendor their successes and shortcomings, providing feedback. A written assessment of the Vendor’s performance will also be provided.

**PART III KEY RFP EVENTS**

## Questions

**1. General Instructions**

a. It is the responsibility of all Bidders and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.

b. Bidders and other interested parties should use **Appendix E** – Submitted Questions Form – for submission of questions.

c. The Submitted Questions Form must be submitted to the RFP Coordinator email address identified on the cover page of this RFP.

d. Submitted Questions must include the RFP Number and Title in the subject line of the e-mail. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.

**2. Question & Answer Summary:** Responses to all questions will be compiled in writing and posted on the following website: <http://www.maine.gov/dafs/bbm/procurementservices/vendors/pqvls> . Bidders should submit questions 15-days prior to the most current proposal submission deadline in order to receive a response 7-days prior to that deadline. All other questions will be addressed after the current deadline. It is the responsibility of all interested parties to go to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.

## Amendments

All amendments released in regard to this RFP will also be posted on the following website: <http://www.maine.gov/dafs/bbm/procurementservices/vendors/pqvls> . It is the responsibility of all interested parties to go to this website to obtain amendments. Only those amendments posted on this website are considered binding.

## Submitting the Proposal

1. **Proposals Due:** Proposals must be received no later than 11:59 p.m. local time, on the date listed on the cover page of this RFP, at which point they will be opened. Proposals received **after** the 11:59 p.m. deadline will be **held until the next open enrollment opening**.
2. **Delivery Instructions:** Email proposal submissions are to be submitted to the State of Maine Division of Procurement Services, via email [Proposals@maine.gov](mailto:Proposals@maine.gov).
3. Only proposals received by email will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
4. Bidders are to insert the following into the subject line of their email submission:

“**RFP# 201905093 Proposal Submission**”

1. Respondent’s proposals are to be sent as one document. PDF is preferred but other formats, such as MS Word, will be accepted.

d. Respondent’s proposals must include (in the order below):

- Proposal Cover Page (**Appendix A**)

- Debarment, Performance and Non-Collusion Certification (**Appendix B**)

- Organization Qualifications and Experience (**Appendix C** and all related/required attachments)

- Copy of applicable licensure or any specific credentials

- Certificate of Insurance

- Company Rate Sheet(s)

**PART IV PROPOSAL SUBMISSION REQUIREMENTS**

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 disqualified as non-responsive or receiving a reduced score. The Department, and its evaluation team for this RFP, has sole discretion to determine whether a variance from the RFP specifications should result in either disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in this RFP will, at best, be considered minimally responsive. The Department seeks detailed yet succinct responses that demonstrate the Bidder’s experience and ability to perform the requirements specified throughout this document.

## Proposal Format

* 1. All pages of a Bidder’s proposal should 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. For clarity, the Bidder’s name should appear on every page, including Attachments. Each Attachment must reference the section or subsection number to which it corresponds.
  2. The Bidder is asked to be brief and concise in responding to the RFP questions and instructions.
  3. The Bidder may not provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Additional materials not requested will not be considered part of the proposal and will not be evaluated.
  4. Include any forms provided in the submission 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.
  5. 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 Department’s evaluation review team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.
  6. The Bidder should complete and submit the “Proposal Cover Page” provided in **Appendix A** of this RFP and provide it with the Bidder’s proposal. It is important that the cover page show the specific information requested, including Bidder address(es) and other details listed. The proposal cover page shall be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.
  7. The Bidder should complete and submit the “Debarment, Performance and Non-Collusion Certification Form” provided in **Appendix B** of this RFP. Failure to provide this certification may result in the disqualification of the Bidder’s proposal, at the discretion of the Department.

## 

## Proposal Contents

**Section I   Organization Qualifications and Experience**

1. **Overview of the Organization**

The Bidder is to complete **Appendix C** (Qualifications and Experience Form) describing their qualifications and skills to provide the requested services in this RFP. The Bidder is also to include three examples within the past five years of projects which demonstrate their experience and expertise in performing these services as well as highlighting the Bidder’s stated qualifications and skills.

1. **Subcontractors**

If subcontractors are to be used, provide a list that specifies the name, address, phone number, contact person, and a brief description of the subcontractors’ organizational capacity and qualifications.

1. **Organizational Chart**

Provide an organizational chart of the bidder’s organization.  The organization chart must include the project being proposed.  Each position must be identified by position title and corresponding to the personnel job descriptions and the Staffing Plan provided.

1. **Litigation**

Attach a list of all current litigation in which the Bidder is named and a list of all closed cases that have closed within the past five (5) years 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.  If no litigation will be included, write “none” on submitted attachment.

1. **Licensure/Certification**

Provide documentation of any applicable licensure/certification or any specific credentials required to provide the proposed services.

1. **Certificate of Insurance**

Provide a certificate of insurance on a standard Acord form (or the equivalent) evidencing the Bidder’s general liability, professional liability and any other relevant liability insurance policies that might be associated with the proposed services.

**Section II Proposed Services**

* 1. **Services to be Provided**

Discuss the Scope of Services referenced above in Part II of this RFP and what the Bidder will offer. Give particular attention to describing the methods and resources you will use and how you will accomplish the tasks involved. Also, describe how you will ensure expectations and/or desired outcomes as a result of these services will be achieved. If subcontractors are involved, clearly identify the work each will perform.

**Section III Cost Proposal**

1. **General Instructions**

The Respondent must submit a current rate sheet. Rate sheets must provide a listing of the typical fixed and hourly rates for all services and the positions expected to be involved in the services provided as well as all other expected expenses.

**PART V PROPOSAL EVALUATION AND SELECTION**

Evaluation of the submitted proposals shall be accomplished as follows:

## Evaluation Process - General Information

* + - 1. An evaluation team, comprised of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP, and in accordance with the most advantageous financial and economic impact considerations (where applicable) for the State.
      2. 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 provides the best value to the State of Maine.
      3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders if needed to obtain clarification of information contained in the proposals received, and the Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Interviews/presentations are not required, and changes to proposals will not be permitted during any interview/presentation process. Therefore, Bidders should submit proposals that present their rates and other requested information as clearly and completely as possible.

## Scoring Weights and Process

1. **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.

**Section I. Organization Qualifications and Experience (50 points)**

Includes all elements addressed above in Part IV, B, Section I.

**Section II. Proposed Services (25 points)**

Includes all elements addressed above in Part IV, B, Section II.

**Section III. Rate sheet (25 points)**

Includes all elements addressed above in Part IV, B, Section III.

1. **Scoring Process:** The review team will use a consensus approach to evaluate and score the sections above. Members of the review team will not score those sections individually but, instead, will arrive at a consensus as to assignment of points for each of those sections.
2. **Negotiations:** The Department reserves the right to negotiate with the successful Bidder to finalize a contract at the same rate or cost of service as presented in the selected proposal. 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. The Department reserves the right to terminate contract negotiations with a selected Bidder who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

## Selection and Award

**1.** The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.

**2.** Notification of contractor selection or non-selection will be made in writing by the Department.

**3.** 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.

**4.** The Department reserves the right to reject any and all proposals or to make multiple awards.

**5.**   Selection to be included on the PQVL is not a guarantee of work.

**6.** Updated documentation pertaining to Certification of Insurance, Certification/Licensure, and Rates will be required to be submitted to the RFP Coordinator by all Providers on the PQVL on an annual basis.

## Appeal of Contract Awards

Any person aggrieved by the award decision that results from this RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 MRSA § 1825-E and 18-554 Code of Maine Rules, Chapter 120 (found here: <https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-120> ).  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 contract award.

Since this RFP results in a PQVL, the appeal procedures mentioned above are available upon the original determination of that vendor list. The appeal procedures will not be available during subsequent competitive procedures involving only the PQVL participants if cost is the sole determining factor.

## Removal from Pre-Qualified Vendors List

The Department may remove a pre-qualified vendor from the PQVL at any time, upon giving 30 days’ written notice to the pre-qualified vendor, if the Department determines that during the pre-qualification term:

* 1. The pre-qualified vendor failed or refused to perform its contractual obligations,
  2. The pre-qualified vendor’s performance was unsatisfactory including, but not limited to, the quality and timeliness of services provided,
  3. The pre-qualified vendor no longer has the ability to perform the services specified in this RFP, or
  4. The pre-qualified vendor is continually “unresponsive” (12 consecutive months) to providing any feedback to the Department’s mini-bid solicitations.

# 

# **PART VII LIST OF RFP APPENDICES AND RELATED DOCUMENTS**

1. Appendix A – Proposal Cover Page
2. Appendix B – Debarment, Performance and Non-Collusion Certification
3. Appendix C – Qualifications and Experience Form
4. Appendix D – Submitted Question Form

**APPENDIX A**

**State of Maine**

**Department of Environmental Protection**

**PROPOSAL COVER PAGE**

**RFP# 201905093**

**Pre-Qualified Vendor List for Environmental Consulting Services**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Bidder’s Organization Name:** | |  | | |
| **Chief Executive - Name/Title:** | |  | | |
| **Tel:** |  | | **E-mail:** |  |
| **Headquarters Street Address:** | |  | | |
| **Headquarters City/State/Zip:** | |  | | |
| ***(Provide information requested below if different from above)*** | | | | |
| **Lead Point of Contact for Proposal - Name/Title:** | | |  | |
| **Tel:** |  | | **E-mail:** |  |
| **Headquarters Street Address:** | |  | | |
| **Headquarters City/State/Zip:** | |  | | |

* This proposal and the pricing structure 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 above-named organization is the legal entity entering into the resulting agreement with the Department should they be awarded the contract.
* The undersigned is authorized to enter 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.*

|  |  |
| --- | --- |
| **Name (Print):** | **Title:** |
| **Authorized Signature:** | **Date:** |

**APPENDIX B**

**State of Maine**

**Department of**

**Environmental Protection**

**DEBARMENT, PERFORMANCE and NON-COLLUSION CERTIFICATION**

**RFP# 201905093**

**Pre-Qualified Vendor List for Environmental Consulting Services**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |

*By signing this document, I certify to the best of my knowledge and belief that the aforementioned organization, its principals and any subcontractors named in this proposal:*

1. *Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.*
2. *Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:*
   1. *Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.*
   2. *Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;*
   3. *Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and*
   4. *Have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default*.
3. *Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above-mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.*

**Failure to provide this certification may result in the disqualification of the Bidder’s proposal, at the discretion of the Department.**

|  |  |
| --- | --- |
| Name (Print): | Title: |
| Authorized Signature: | Date: |

**APPENDIX C**

**State of Maine**

**Department of Environmental Protection**

## QUALIFICATIONS & EXPERIENCE FORM

**RFP# 201905093**

**Pre-Qualified Vendor List for Environmental Consulting Services**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |

|  |
| --- |
| **Present a brief statement of qualifications, including any applicable licensure and/or certification. 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. You may expand this form and use additional pages to provide this information.** |
|  |

**APPENDIX C (continued)**

|  |
| --- |
| **Provide a description of projects that occurred within the past five years which reflect experience and expertise needed in performing the functions described in the “Scope of Services” portion of this RFP. For each of the project examples provided, a contact person from the client organization involved should be listed, along with that person’s telephone number and email address. Please note that contract history with the State of Maine, whether positive or negative, may be considered in rating proposals even if not provided by the Bidder.**  *If the Bidder has not provided similar services, note this, and describe experience with projects that highlight the Bidder’s general capabilities.* |

|  |  |
| --- | --- |
| **Project One** | |
| **Client Name:** |  |
| **Client Contact Person:** |  |
| **Telephone:** |  |
| **E-Mail:** |  |
| **Brief Description of Project** | |
|  | |

|  |  |
| --- | --- |
| **Project Two** | |
| **Client Name:** |  |
| **Client Contact Person:** |  |
| **Telephone:** |  |
| **E-Mail:** |  |
| **Brief Description of Project** | |
|  | |

**APPENDIX C (continued)**

|  |  |
| --- | --- |
| **Project Three** | |
| **Client Name:** |  |
| **Client Contact Person:** |  |
| **Telephone:** |  |
| **E-Mail:** |  |
| **Brief Description of Project** | |
|  | |

**APPENDIX D**

**State of Maine**

**Department of Environmental Protection**

**SUBMITTED QUESTIONS FORM**

**RFP# 201905093**

**Pre-Qualified Vendor List for Environmental Consulting Services**

|  |  |
| --- | --- |
| **Organization Name:** |  |

|  |  |
| --- | --- |
| **RFP Section & Page Number** | **Question** |
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*\* If a question is not related to any section of the RFP, state “N/A” under “RFP Section & Page Number”.*

*\*\* Add additional rows, if necessary.*