**STATE OF MAINE**

**Department of Environmental Protection**

*Bureau of Land Resources*

**RFA# 202412211**

**Coastal Sand Dune Restoration and Protection Grants**

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| **RFA Coordinator** | *All communication regarding the RFA must be made through the RFA Coordinator identified below*.**Name:** Marybeth Richardson **Title:** Dune Restoration Fund Administrator**Contact Information:** marybeth.richardson@maine.gov  |
| **Submitted Questions Due** | *All questions must be received by the RFA Coordinator identified above by:***January 21st, 2025**, no later than 11:59 p.m., local time |
| **ApplicationSubmission Deadline** | *Applications must be received by the Division of Procurement Services by:***Submission Deadline: February 24th, 2025**, no later than 11:59 p.m., local time.*Applications must be submitted electronically to:* Proposals@maine.gov |

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**RFA TERMS/ACRONYMS with DEFINITIONS**

The following terms and acronyms, as referenced in the RFA, have the meanings indicated below:

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| **Term/Acronym** | **Definition** |
| **Department** | Department of Environmental Protection |
| **RFA** | Request for Applications |
| **State** | State of Maine |
| **NRPA** | Natural Resources Protection Act([Title 38, §480-KK: Coastal Sand Dune Restoration and Protection Fund](https://www.mainelegislature.org/legis/statutes/38/title38sec480-KK.html)) |
| **PBR** | Permit-by-Rule |
| **MGS** | Maine Geological Survey |
| **IF&W** | Maine Department of Inland Fisheries and Wildlife |

**PART I OVERVIEW OF THE GRANT OPPORTUNITY**

## Purpose and Background

The Department of Environmental Protection (Department) is seeking applications for coastal sand dune restoration and protection projects as defined in this Request for Applications (RFA) document. This document provides instructions for submitting applications, the procedure and criteria by which the awarded Applicant(s) will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Applicant(s).

Funding for awarded coastal sand dune restoration and protection projects was established by L.D. 2266, “An Act Regarding Restoration and Protection of Coastal Sand Dune Systems and Permitting of an Offshore Wind Terminal on Sears Island.” The legislative action allocated special revenue funds totaling $1,000,000 for projects that meet specific criteria and are designed to benefit coastal sand dune systems. These systems are protected by the Department pursuant to the Natural Resources Protection Act (NRPA) and associated rules. The systems are vulnerable to changing weather patterns and have been negatively affected by major coastal storm events and sea level rise. This fund will provide monies to implement projects in coastal sand dune systems that are designed to restore, protect, conserve, nourish or revegetate areas within these systems, which may include public education and/or technical assistance.

Successful applications will receive one-time funding for projects to restore, protect, conserve, nourish or revegetate a coastal sand dune system as defined in the NRPA, [38 M.R.S. §480-B, subsection 1](https://www.mainelegislature.org/legis/statutes/38/title38sec480-B.html). The Department may pay up to 50% of the eligible costs incurred for such projects, except that eligible costs for projects addressing technical assistance and public education may be paid up to 100%. Only projects located within a coastal sand dune system where public access is provided to the beach or waterfront area adjacent to the coastal sand dune system will be considered.

**NOTE**: As stated above, projects must be located within an area that meets the statutory definition of a coastal sand dune system contained in the NRPA, which is: sand and gravel deposits within a marine beach system, including, but not limited to, beach berms, frontal dunes, dune ridges, back dunes and other sand and gravel areas deposited by wave or wind action. Coastal sand dune systems may extend into coastal wetlands.

Online maps of coastal sand dune areas are published by MGS and can be viewed here:

[[Maine Geological Survey: Online Coastal Sand Dune Geology Maps](https://www.maine.gov/dacf/mgs/pubs/online/dunes/dunes.htm)](https://www.maine.gov/dacf/mgs/pubs/online/dunes/dunes.htm)

## General Provisions

1. From the time this RFA is issued until award notification is made, all contact with the State regarding this RFA must be made through the RFA Coordinator identified on the cover page of this RFA. No other person/State employee is empowered to make binding statements regarding this RFA. Violation of this provision may lead to disqualification from the application process, at the State’s discretion.
2. Issuance of the RFA does not commit the Department to issue an award or to pay expenses incurred by an Applicant in the preparation of a response to the RFA. This includes attendance at personal interviews or other meetings, where applicable.
3. All applications must adhere to the instructions and format requirements outlined in the RFA and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Applications are to follow the format and respond to all questions and instructions specified in Part III of the RFA.
4. Applicants will take careful note that in evaluating an application submitted in response to this RFA, the Department will consider materials provided in the application, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Applicant (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating the Applicant’s experience and capabilities.
5. The application must be signed by a person authorized to legally bind the Applicant and must 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 RFA and the awarded Applicant’s proposal, including all appendices or attachments, will 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 RFA will be public records, available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) ([1 M.R.S. § 401](http://www.mainelegislature.org/legis/statutes/1/title1sec401.html) et seq.).
8. In the event that an Applicant believes any information that it submits in response to this RFP is confidential, it must mark that information accordingly, and include citation to legal authority in support of the Bidder’s claim of confidentiality. In the event that the Department receives a FOAA request that includes submissions marked as confidential, the Department shall evaluate the information and any legal authority from the Applicant to determine whether the information is an exception to FOAA’s definition of public record. If the Department determines to release information that an Applicant has marked confidential, it shall provide advance notice to the Applicant to allow for them to seek legal relief.
9. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in applications received in response to the RFA.
10. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be the Applicant’s responsibility to determine the applicability and requirements of any such laws and to abide by them.

## Eligibility to Submit Applications

Projects must be located within a coastal sand dune system as defined in [38 M.R.S. 38 M.R.S. §480-B, subsection 1](https://www.mainelegislature.org/legis/statutes/38/title38sec480-B.html) where public access is provided to the beach or waterfront area adjacent to the coastal sand dune system.

## Awards

The Department anticipates making multiple awards. The number of awards granted will be dependent upon the number of successful applications received and amounts requested. Final award amounts may be more or less than requested.

Applicants may propose projects that fall under one or multiple eligible categories. Types of projects that may be eligible include physical projects to restore, nourish, revegetate coastal sand dunes in accordance with the Coastal Sand Dune Rules and applicable MGS guidelines; projects to protect or conserve coastal sand dunes via legal mechanisms such as conservation easements; or public education and/or technical assistance programs to restore and protect coastal sand dunes; or any combination of these activities. Projects consisting solely of public education and/or technical assistance will be scored separately from the other types of projects listed.

1. **Appeal of Contract Awards**

Any person aggrieved by the award decision that results from this Request for Applications 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: [Chapter 120](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.

1. **Applicable Legislation**

This fund was established by H.P. 1456, L.D. 2266 and codified in the NRPA, 38 M.R.S.A. §480-KK, and became effective onAugust 9, 2024.

**PART II ACTIVITIES AND REQUIREMENTS**

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1. Eligible Activities: Projects in coastal sand dune systems that are designed to restore, protect, conserve, nourish or revegetate areas within these systems, which may include public education and/or technical assistance.
	1. Physical projects to restore, nourish, revegetate coastal sand dunes in accordance with the Coastal Sand Dune Rules and applicable MGS guidelines
	2. Projects to protect or conserve coastal sand dunes via legal mechanisms such as conservation easements
	3. Public education and/or technical assistance programs to restore and protect coastal sand dunes
	4. Any combination of the above activities
2. Allowable Use of Funds

* 1. Funds may be used for projects that are designed to restore, nourish or revegetate a coastal sand dune area.
	2. Funds may be used for projects that are designed to protect or conserve a coastal sand dune area.
	3. Funds may be used for public education programs or outreach programs designed to provide technical assistance to stakeholders in coastal sand dune areas.
1. Non-Allowable Use of Funds
	1. The Department may not use money to fund projects in a coastal sand dune system where public access is not provided to the beach or waterfront area adjacent to the coastal sand dune system.
2. Reporting Requirements
	1. For physical construction projects, post-construction monitoring provisions
	2. For dune preservation projects, evidence of adequate legal protections
	3. For educational/assistance programs, post-event reporting requirements

**PART III KEY PROCESS EVENTS**

## Submission of Questions

* 1. **General Instructions:** It is the responsibility of all Applicants and other interested parties to examine the entire RFA and to seek clarification, in writing, if they do not understand any information or instructions.
		1. Applicants and other interested parties should use **Appendix A** (Submitted Questions Form) for submission of questions. The form is to be submitted as a WORD document.
		2. Questions must be submitted, by e-mail, and received by the RFA Coordinator identified on the cover page of the RFA as soon as possible but no later than the date and time specified on the RFA cover page.
		3. Submitted Questions must include the RFA 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 Office of State Procurement Services [Grant RFPs and RFAs](https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants) website. 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 RFA will be posted on the Office of State Procurement Services [Grant RFPs and RFAs](https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants) website. 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.

## Application Submission

* 1. **Applications Due:** Applications must be received no later than 11:59 p.m. local time, on the date listed on the cover page of the RFA.
		1. Any e-mails containing original application submissions or any additional or revised application files, received after the 11:59 p.m. deadline, will be rejected without exception.
1. **Delivery Instructions:** Applications must be submitted electronically to the State of Maine Office of State Procurement Services at proposals@maine.gov.
	1. Only applications received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.

Application submission e-mails that are successfully received by the proposals@maine.gov inbox will receive an automatic reply stating as such.

* 1. E-mails containing links to file sharing sites or online file repositories will not be accepted as submissions. Only e-mail application submissions that have the requested files attached will be accepted.
	2. Encrypted e-mails received which require opening attachments and logging into a proprietary system will not be accepted as submissions. It is the Applicant’s responsibility to check with its organization’s information technology team to ensure that security settings will not encrypt its application submission.
	3. File size limits are 25MB per e-mail. Applicants may submit files across multiple e-mails, as necessary, due to file size concerns. All e-mails and files must be received by the due date and time as described above.
	4. Applicants are to insert the following into the subject line of their e-mail submission: “**RFA# 202412211 Application Submission – [Applicant’s Name]**”.
1. **Submission Contents**
2. Application submissions must include the Applicant’s completed **Application Form** (found in Part V of the RFA) and all required information and attachments as stated in the form.
3. The Application Form must be submitted as a single, typed, PDF file.
4. Applicants are not to provide additional attachments beyond those specified in the RFA or Application Form for the purpose of extending their response. Materials not requested will not be considered part of the application and will not be evaluated.

**PART IV APPLICATION EVALUATION AND SELECTION**

1. **Evaluation Process – General Information**
	1. An evaluation team, composed of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFA.
	2. Officials responsible for making decisions on the award selection will 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 applications and to ensure that all contracts are awarded to the Applicants that provide the best value to the State of Maine.
	3. The Department reserves the right to communicate and/or schedule interviews/presentations with Applicants, if needed, to obtain clarification of information contained in the applications received. The Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Changes to applications, including updating or adding information, will not be permitted during any interview/presentation process and, therefore, Applicants must submit proposals that present their rates and other requested information as clearly and completely as possible.
	4. Failure to respond to all questions and instructions throughout the RFA may result in the application being disqualified as non-responsive or receiving a reduced score. The Department, and its evaluation team, has sole discretion to determine whether a variance from the RFA specifications will result either in disqualification or reduction in scoring of a proposal.
2. **Scoring Process:** The evaluation team will use a consensus approach to evaluate and score all sections listed below. 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.
3. **Scoring Weights:** The score will be based on a 100-point scale and will measure the degree to which each application meets the following criteria. The criteria for the two eligible project types are shown below. If an applicant proposes a project that combines both a physical project/preservation component an education/technical assistance component, a separate budget for each component must be included with the application. Those components will be scored separately using the separate scoring criteria. Each portion of a combined project will be scored on its own merit, then compared against other projects in that category. If both parts of the combined project are funded, one award will be issued for the combined project, up to 50% of the physical/preservation component and up to 100% of the education/technical assistance component.

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| **Scoring Criteria – Dune Restoration or Construction, Dune Preservation, or Beach Nourishment** | **Points Available** |
| Eligibility – Public Access and Dune Classification | Pass/Fail |
| Likelihood of Permitting: Project is designed to meet PBR 16-A, has already been permitted or is likely to receive a permit based on reviewer experience, and has been conceptually approved by MGS; project includes provisions for post-construction monitoring and/or stewardship | 25% |
| Feasibility: Project design is based on rate of dune or shoreline change to maximize expected project lifetime; project is designed by a practitioner with experience in coastal sand dune restoration or beach nourishment | 15% |
| Community Benefit: Project benefits socially vulnerable or small community (refer to <https://www.maine.gov/future/sites/maine.gov.future/files/inline-files/SVI%20Communities%20Map%20and%20List_2021-12-01_1.pdf>; project protects existing public infrastructure; if dune restoration, includes information on how below the base flood elevation the dune crest is, or if a beach nourishment project, includes width of the dry beach and how the project will restore protective dry beach width/height  | 20% |
| Cost Efficiency/Budget: Project includes match funding from other sources (e.g. federal or local funding, in-kind, volunteer, etc.); project utilizes nearby resources – e.g. sand, local plant sources (if beach nourishment, sand supply will be coordinated with a nearby dredging operation); project includes a completion date and permitting/construction timeline | 25% |
| Habitat Enhancement/Improvement: Project is located within Essential Habitat and provides for enhancement of the existing essential habitat; project has demonstrated support from IF&W; project has support from Natural Areas Program | 15% |
| **Total Points**  | **100 points** |

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| **Scoring Criteria – Public Education and/or Technical Assistance Programs** | **Points Available** |
| Eligibility – Public Access and Dune Classification | Pass/Fail |
| Public education/outreach: Project targets vulnerable coastal area; project includes collaboration with local community or other local group(s); project targets socially vulnerable or small community (refer to <https://www.maine.gov/future/sites/maine.gov.future/files/inline-files/SVI%20Communities%20Map%20and%20List_2021-12-01_1.pdf>)  | 35% |
| Technical assistance to coastal property owners: Project targets vulnerable coastal area; project targets key stakeholders; project provides information to stakeholders for enhancing coastal resiliency | 35% |
| Cost Efficiency/Budget: Project includes cost-sharing or resource-sharing among stakeholders; project includes match funding; project includes timeline for education efforts and/or technical assistance effortsProject includes post-event reporting | 30% |
| **Total Points**  | **100 points** |

1. **Selection and Award**
	1. Notification of conditional award selection or non-selection will be made in writing by the Department.
	2. Issuance of this RFA in no way constitutes a commitment by the State to award a contract, to pay costs incurred in the preparation of a response to the RFA, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel, or any other costs incurred by the Applicant.
	3. The Department reserves the right to reject any and all applications or to make multiple awards.
2. **Contract Administration and Conditions**
	1. The awarded Applicants will be required to execute a State of Maine Service Contract with the appropriate riders as determined by the issuing Department.
	2. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Procurement Review Committee. Contracts are not considered fully executed and valid until approved by the State Procurement 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 Applicants. (Referenced in the regulations of the Department of Administrative and Financial Services, [Chapter 110, § 3(B)(i)](https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-110)). This provision means that a contract cannot be effective until at least 14 calendar days after award notification.
	3. Following the award, a Contract Administrator from the Department 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 the award to consult with the awarded Applicants in the finalization of the contract.
	4. In providing services and performing under the contract, the awarded Applicant must act as an independent contractor and not as an agent of the State of Maine.

**PART V APPLICATION FORM**

## Applicants must use the Application Form embedded below to submit their application in response to this RFA.

## The Application Form may be obtained in a Word (.docx) format by double clicking on the document icon below.



**APPENDIX A SUBMITTED QUESTIONS FORM**

This form should be used by Applicants when submitting written questions to the RFA Coordinator.

If a question is not related to any section of the RFA, enter “N/A” under the RFA Section & Page Number. Add additional rows as necessary. Submit this document in WORD format, not PDF.

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| **Organization Name:** |  |

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| **RFA Section & Page Number** | **Question** |
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