**STATE OF MAINE**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*



**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

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| --- | --- |
| **RFP Coordinator** | *All communication regarding the RFP must be made through the RFP Coordinator identified below*.  **Name:** Brittany Hall **Title:** Procurement Administrator  **Contact Information:** [Brittany.hall@maine.gov](mailto:Brittany.hall@maine.gov) |
| **Submitted Questions Due** | *All questions must be received by the RFP Coordinator identified above by:*  **Date:** July 22, 2024, no later than 11:59 p.m., local time |
| **Proposal Submission Deadline** | *Proposals must be received by the Division of Procurement Services by:*  **Submission Deadline:** August 15, 2024, no later than 11:59 p.m., local time.  *Proposals must be submitted electronically to*:[Proposals@maine.gov](mailto:Proposals@maine.gov) |

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PUBLIC NOTICE

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**State of Maine**

**Department of Health and Human Services**

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

The State of Maine is seeking proposals for Health and Environmental TestingLaboratory (HETL) Safety Training and Certification Services.

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

Proposals must be submitted to the State of Maine Division of Procurement Services, via e-mail, at: [Proposals@maine.gov](mailto:Proposals@maine.gov). Proposal submissions must be received no later than 11:59 p.m., local time, on August 15, 2024. Proposals will be opened the following business day. Proposals not submitted to the Division of Procurement Services’ aforementioned e-mail address by the aforementioned deadline will not be considered for contract award.

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**RFP TERMS/ACRONYMS with DEFINITIONS**

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

|  |  |
| --- | --- |
| **Term/Acronym** | **Definition** |
| **Chemical Hygiene Plan** | A written set of procedures made available to Department employees working with hazardous chemicals, that focuses on protecting Health and Environmental TestingLaboratory (HETL) personnel against adverse health and safety hazards associated with exposure to potentially hazardous chemicals. |
| **Department** | Department of Health and Human Services |
| [**Health and Environmental Testing Laboratory (HETL)**](https://www.maine.gov/dhhs/mecdc/public-health-systems/health-and-environmental-testing/) | A division of Maine’s Public Health Systems; the goal of HETL is to isolate, identify, analyze, and monitor any biological, chemical, or radiological hazards capable of causing harm. |
| **Portacourt Fit Testing** | An assessment during a respirator fit that compares the concentration of ambient dust particles outside the facepiece to the concentration of particles that have leaked into the facepiece. |
| [**Resource Conservation and Recovery Act (RCRA)**](https://www.epa.gov/rcra) | The Federal law that creates the framework for the proper management of hazardous and non-hazardous solid waste. RCRA describes the waste management program mandated by Congress that gave the [U.S. Environmental Protection Agency](https://www.epa.gov/) (EPA) authority to develop the RCRA program. The term RCRA is often used interchangeably to refer to the law, regulation, and the EPA policy and guidance. |
| **RFP** | Request for Proposal |
| **Safety Training Services** | Training focused on protecting Department staff health and wellbeing, improving productivity, and ensuring regulatory compliance, while reducing liability and insurance costs and safeguarding the surroundings community. |
| **State** | State of Maine |

**State of Maine - Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Department of Health and Human Services (Department) is seeking Safety Training and Certification Services for its Health and Environmental Testing Laboratory (HETL) as defined in this Request for Proposal (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the awarded Bidder will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Bidder.

The Department is dedicated to promoting health, safety, resiliency, and opportunity to all Maine Residents. The Department’s Maine Center for Disease Control and Prevention (Maine CDC) provides leadership, expertise, information, and tools to assure all Maine residents have the access and opportunity to live healthy lives. HETL, under the umbrella of Maine CDC, protects the health and lives of people in Maine by strengthening the ability of health agencies and partner organizations to detect, contain, and manage public health threats and emergencies.

As a result of this RFP, the Department will ensure training is provided to HETL staff related to the [Occupational Safety and Health Administration (OSHA)](https://www.osha.gov/laws-regs/regulations/standardnumber/1910) and [Resource Conservation and Recovery Act (RCRA)](https://www.epa.gov/rcra) standards and best practices. This OSHA training will aid in preventing injury and illness as well as protect HETL staff from the diverse hazards encountered within the laboratory including exposure to chemical, biological, and radiological hazards.

The awarded Bidder shall support the Department in meeting requirements for the Maine Hazardous Waste Management Regulations, RCRA, and OSHA, specifically:

* [06-096 CMR Ch. 850 Identification of Hazardous Wastes](https://www.maine.gov/sos/cec/rules/06/096/096c850.docx)
* [06-096 CMR Ch. 851 Standards for Generators of Hazardous Waste](https://www.maine.gov/sos/cec/rules/06/096/096c851.docx)
* [06-096 CMR Ch. 857 Hazardous Waste Manifest Requirements](https://www.maine.gov/sos/cec/rules/06/096/096c857.docx)
* [06-096 CMR Ch. 858 Universal Waste Rules](https://www.maine.gov/sos/cec/rules/06/096/096c858.docx)
* [OSHA 3404-11R-2011 Laboratory Safety Guidance](https://www.osha.gov/sites/default/files/publications/OSHA3404laboratory-safety-guidance.pdf)
* [29 CFR 1910.1450 Occupational Exposure to Hazardous Chemicals in Laboratories](https://www.govinfo.gov/content/pkg/CFR-2022-title29-vol6/pdf/CFR-2022-title29-vol6-sec1910-1450.pdf)

1. **General Provisions**
   1. From the time the RFP is issued until award notification is made, all contact with the State regarding the RFP must be made through the RFP Coordinator. No other person/ State employee is empowered to make binding statements regarding the RFP. Violation of this provision may lead to disqualification from the bidding process, at the State’s discretion.
   2. Issuance of the 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 the RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
   3. All proposals must adhere to the instructions and format requirements of the 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 the RFP.
   4. Bidders are to take careful note that in evaluating proposals, the Department will consider all materials submitted, information obtained through interviews/presentations (if any), and Departmental information of contract history (if any) with the Bidder. The Department reserves the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities.
   5. The proposal must be signed by a person authorized to legally bind the Bidder 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 RFP and the awarded Bidder’s proposal, including all appendices or attachments, will be the basis for the final contract, as determined by the Department.
   7. Following announcement of a conditional award decision, all submissions in response to this RFP 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. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to the RFP.
   9. All applicable laws, whether contained herein, are included in this reference. It is the Bidder’s responsibility to determine the applicability and requirements of any such laws and abide by them.
2. **Eligibility to Submit Bids**

Bidders must have at least five (5) years of experience in the last ten (10) years providing state and federal laboratory procedures and protocols training and certification to state or local labs.

1. **Contract Term**

The Department is seeking a cost-efficient proposal to provide services, as defined in the RFP, for the anticipated contract period defined in the table below. Please note, the dates below are estimated and may be adjusted, as necessary, to comply with all procedural requirements associated with the 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 the contract, the Department may opt to renew the contract for two (2) renewal periods, as shown in the table below, and subject to continued availability of funding and satisfactory performance.

The term of the anticipated contract, resulting from the RFP, is defined as follows:

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Initial Period of Performance | 10/1/2024 | 9/30/2026 |
| Renewal Period #1 | 10/1/2026 | 9/30/2028 |
| Renewal Period #2 | 10/1/2028 | 9/30/2029 |

1. **Number of Awards**

The Department anticipates making one (1) award as a result of the RFP process.**PART II SCOPE OF SERVICES TO BE PROVIDED**

**Specific instructions for the Bidder to provide a narrative response to the Scope of Services may be found in Part IV, Section III, Services to be Provided.**

1. **Safety Training and Certification Services**
   1. Provide quarterly in-person Safety Training Services at the Department’s Health and Environmental Testing Laboratory (HETL) comparable to the training schedule represented in **Table 1**.
      1. The final training schedule shall be agreed upon between HETL safety management and the awarded Bidder based on HETL staff availability.
      2. Work with HETL section supervisors to ensure all staff complete the required training within a reasonable amount of time from their hire date, or prior to the expiration of a previous training certification.

*Table 1 outlines the HETL trainings needed, though several may be combined or integrated into larger more comprehensive training courses (ex: fire extinguisher training, and lock-out-tag-out, with Chemical Hygiene). Table 1 provides the suggested quarterly scheduling as an example and it is expected to be adjusted once the awarded Bidder and HETL leadership have agreed upon a final plan.*

|  |  |  |
| --- | --- | --- |
| **TABLE 1: Quarterly Training Schedule**  **HETL Safety Training and Certification Services** | | |
| **Name of Training** | **HETL Staff to be Trained** | **Training Availability** |
| Chemical Hygiene | All staff (approx. sixty-five (65)) | Quarter 1 and upon hire |
| Resource Conservation and Recovery Act (RCRA) | All staff (approx. sixty-five (65)) |
| Biohazard | Approx. thirty (30) staff |
| Gas Cylinder | Approx. ten (10) staff |
| Spill Kit | All staff (approx. sixty-five (65)) | Quarter 2 |
| Confined Spaces and Lock-out, Tag-out Procedures | All staff (approx. sixty-five (65)) |
| Man Down | All staff (approx. sixty-five (65)) |
| AED / First Aid | All staff, upon request | Quarter 3 |
| Fire Extinguisher | All staff (approx. sixty-five (65)), upon request |
| Lifting | All staff (approx. sixty-five (65)), upon request |
| Radiation Safety | Two to six (2-6) staff |
| Naloxone use and administration | Approx. twenty (20) staff | Quarter 4 |
| Clandestine laboratory safety training | Approx. twenty (20) staff |
| Handling of controlled substances | Approx. twenty (20) staff |
| Visible Emission | Approx. five (5) staff |

1. **General Requirements**
   1. Ensure trainings are conducted by individuals who have up-to date-credentials and certifications as required by Safety Training Services in accordance with [29 CFR.1910](https://www.govinfo.gov/content/pkg/CFR-2022-title29-vol6/pdf/CFR-2022-title29-vol6-part1910.pdf).
      1. Provide evidence of staff credentials and certification upon Department request.
   2. Provide all training curriculum, aids, and testing and evaluation materials and supplies.
   3. Leverage existing State training opportunities, and other Department-approved training opportunities, to ensure HETL staff meet required training needs. (i.e., Maine Department of Labor [SafetyWorks Program](https://www.maine.gov/labor/workplace_safety/index.shtml).)
   4. Provide training attendance and certification records to the HETL office manager or safety coordinator within ten (10) business days of the HETL staff completing each training.
      1. Provide completed exams to the HETL office manager or safety coordinator from the RCRA, biohazard, and Chemical Hygiene Plan training to track participation and understanding of material.
   5. Provide the Department with annual training and Portacourt Fit Testing.
2. **Survey and Quality Assurance and Program Improvement**
   1. Develop, implement, and report on a Department-approved training satisfaction survey.
      1. Provide each trainee with a training satisfaction survey upon completion of each training.
   2. Ensure quality assurance policy and procedures are used to develop, maintain, and continually improve the HETL Safety Training and Certification Services.
   3. Meet with the Department, annually, to review training curriculum and trainee performance outcomes for possible improvements, which shall be incorporated into the following year’s training curriculum.
   4. Access and use current research to modify and strengthen trainings.
   5. Design and execute training or consultation that supports the HETL Safety Training in response to Department-identified HETL training needs.
3. **Communication** 
   * + 1. Provide a single point of contact for communicating with the Department regarding the resulting contract.
4. Meet with the Department initially to discuss pre-implementation expectation, and monthly, as mutually agreed upon, to discuss:
   1. Contract management;
   2. Contract administration; and
   3. Contract performance.
5. Respond to Department requests within two (2) business days.
6. Notify the Department of any changes to the training curriculum prior to implementation.

# 

**PART III KEY RFP EVENTS**

1. **Questions**
   1. **General Instructions:** 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.
      1. Bidders and other interested parties should use **Appendix I** (Submitted Questions Form) for submission of questions. The form is to be submitted as a WORD document.
      2. The Submitted Questions Form must be submitted, by e-mail, and received by the RFP Coordinator, identified on the cover page of the RFP, as soon as possible but no later than the date and time specified on the RFP cover page.
      3. 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 no later than seven (7) calendar days prior to the proposal due date: [Division of Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). 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.
2. **Amendments**

All amendments released in regard to the RFP will also be posted on the following website: [Division of Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). 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.

1. **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 the RFP.
      1. Any e-mails containing original proposal submissions or any additional or revised proposal files, received after the 11:59 p.m. deadline, will be rejected without exception.
   2. **Delivery Instructions:** E-mail proposal submissions are to be submitted to the State of Maine Division of Procurement Services at [Proposals@maine.gov](mailto:Proposals@maine.gov).
      1. Only proposal submissions received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
         1. Proposal submission e-mails that are successfully received by the [proposals@maine.gov](mailto:proposals@maine.gov) inbox will receive an automatic reply stating as such.
      2. E-mails containing links to file sharing sites or online file repositories will not be accepted as submissions. Only e-mail proposal submissions that have the actual requested files attached will be accepted.
      3. Encrypted e-mails received which require opening attachments and logging into a proprietary system will not be accepted as submissions. Please check with your organization’s Information Technology team to ensure that your security settings will not encrypt your proposal submission.
      4. File size limits are 25MB per e-mail. Bidders may submit files separately 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 listed above.
      5. Bidders are to insert the following into the subject line of their e-mail proposal submission: **“RFP# 202407127 Proposal Submission – [Bidder’s Name]”**
      6. Bidder’s proposal submissions are to be broken down into multiple files, with each file named as it is titled in bold below, and include:

* **File 1 [Bidder’s Name] – Preliminary Information:**

*PDF format preferred.*

**Appendix A** (Proposal Cover Page)

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

**Appendix C** (Eligibility to Submit Bids Form)

All required eligibility documentation stated in PART IV, Section I.

* **File 2 [Bidder’s Name] – Organization Qualifications and Experience:**

*PDF format preferred.*

**Appendix D** (Organization Qualifications and Experience Form)

**Appendix E** (Subcontractors Form), if applicable

**Appendix F** (Litigation Form)

All required information and attachments are stated in PART IV, Section II.

* **File 3 [Bidder’s Name] – Proposed Services:**

*PDF format preferred.*

**Appendix G** (Response to Proposed Services Form)

All required information and attachments are stated in PART IV, Section III.

* **File 4 [Bidder’s Name] – Cost Proposal:**

*Excel format preferred.*

**Appendix H** (Cost Proposal Form)

All required information and attachments are stated in PART IV, Section IV.

**PART IV PROPOSAL SUBMISSION REQUIREMENTS**

This section contains instructions for Bidders to use in preparing their proposals. The Department seeks detailed yet succinct responses that demonstrate the Bidder’s qualifications, experience, and ability to perform the requirements specified throughout the RFP.

The Bidder’s proposal must follow the outline used below, including the numbering, section, and sub-section headings. Failure to use the outline specified in PART IV, or failure to respond to all questions and instructions throughout the RFP, may result in the proposal 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 RFP specifications will result either in disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in the RFP will, at best, be considered minimally responsive.

Bidders are not to 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. Include any forms provided in the submission package or reproduce those forms as closely as possible. All information must be presented in the same order and format as described in the RFP.

**Proposal Format and Contents**

**Section I Preliminary Information** (File #1)

* 1. **Proposal Cover Page**

Bidders must complete **Appendix A** (Proposal Cover Page). It is critical that the cover page shows the specific information requested, including Bidder address(es) and other details listed. The Proposal Cover Page must be dated and signed by a person authorized to submit contracts on behalf of the Bidder.

* 1. **Debarment, Performance and Non-Collusion Certification**

Bidders must complete **Appendix B** (Debarment, Performance and Non-Collusion Certification Form). The Debarment, Performance and Non-Collusion Certification Form must be dated and signed by a person authorized to submit contracts on behalf of the Bidder.

* 1. **Eligibility Requirements**

Bidders must provide documentation to demonstrate meeting eligibility requirements stated in PART I, C. of the RFP. This documentation includes:

1. **Appendix C** (Eligibility to Submit Bids Form)

**Section II Organization Qualifications and Experience** (File #2)

* 1. **Overview of the Organization**

Bidders must complete **Appendix D** (Qualifications and Experience Form) describing their qualifications and skills to provide the requested services in the RFP. Bidders must include three (3) examples of projects within the last five (5) years, demonstrating 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, including consultants, Bidders must complete **Appendix E** (Subcontractors Form) by providing 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**

Bidders must provide an enterprise-wide organization chart showing officers, major organization components, and the project team proposed to meet the requirements of this RFP. This chart must indicate to whom the project team reports. Note: individual project team positions are to be identified in the job description and staffing plan requirements of **Appendix G** (Response to Proposed Services).

* 1. **Litigation**

Bidders must complete **Appendix F** (Litigation Form) providing 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 the 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 has occurred, write “none” on **Appendix F** (Litigation Form).

* 1. **Financial Viability**

Bidders must provide the following information for each of the past three (3) tax years:

* + 1. Balance Sheets
    2. Income (Profit/Loss) Statements
  1. **Certificate of Insurance**

Bidders must provide a valid 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.

|  |  |
| --- | --- |
| **Required Attachments Related to Organization Qualifications and Experience** | |
| **Attachment #:** | **Attachment Name:** |
| One (1) | Qualifications and Experience Form |
| Two (2) | Subcontractors Form |
| Three (3) | Organizational Chart |
| Four (4) | Litigation |
| Five (5) | Financial Viability |
| Six (6) | Certificate of Insurance |

Attachments 1 – 6, must be included in numerical order, as part of File 2, as outlined in PART III “Submitting the Proposal” of this RFP. Attachments 1 – 6 will be reviewed and evaluated by the Department’s evaluation team under the Organization Qualifications and Experience section of this RFP.

**Section III Proposed Services** (File #3)

Bidder must complete **Appendix G** (Response to Proposed Services Form) by providing a detailed response to the requirements outlined in this RFP.

|  |  |
| --- | --- |
| **Required Attachments Related to Proposed Services** | |
| **Attachment #:** | **Attachment Name:** |
| Seven (7) | Job Descriptions |
| Eight (8) | Staffing Plan |
| Nine (9) | Implementation - Work Plan |

Attachments 7 – 9, must be included in numerical order, as part of File 3, as outlined in PART III “Submitting the Proposal” of this RFP. Attachments 7 – 9 will be reviewed and evaluated by the Department’s evaluation team under the Proposed Services section of this RFP.

**Section IV Cost Proposal** (File #4)

* 1. **General Instructions**
     1. Bidders must submit a cost proposal that covers the initial period of performance and subsequent renewals, starting 10/1/2024 and ending on 9/30/2029.
     2. The cost proposal must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.
     3. No costs related to the preparation of the proposal for the 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.
  2. **Cost Proposal Form Instructions**

Bidders must fill out **Appendix H** (Cost Proposal Form), following the instructions detailed here and in the form. Failure to provide the requested information, and to follow the required cost proposal format provided, may result in the exclusion of the proposal from consideration, at the discretion of the Department.

**PART V PROPOSAL EVALUATION AND SELECTION**

Evaluation of the submitted proposals will be accomplished as follows:

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 RFP.
   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 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. The Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Changes to proposals, including updating or adding information, will not be permitted during any interview/presentation process and, therefore, Bidders must submit proposals that present their rates and other requested information as clearly and completely as possible.
2. **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. Preliminary Information (No Points – Eligibility Requirements)**

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

**Section II. Organization Qualifications and Experience (35 points)**

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

**Section III. Proposed Services (35 points)**

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

**Section IV. Cost Proposal (30 points)**

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

* 1. **Scoring Process:** For proposals that demonstrate meeting the eligibility requirements in Section I, the evaluation team will use a consensus approach to evaluate and score Sections II & III above. Members of the evaluation team will not score those sections individually but, instead, will arrive at a consensus as to assignment of points for each of those sections. Section IV, the Cost Proposal, will be scored as described below.
  2. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in the RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded 30 points. Proposals with higher bids values will be awarded proportionately fewer points calculated in comparison with the lowest bid.

The scoring formula is:

(Lowest submitted cost proposal / Cost of proposal being scored) x 30 = pro-rated score

No Best and Final Offers: The State of Maine will not seek or accept 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.

* 1. **Negotiations:** The Department reserves the right to negotiate with the awarded Bidder to finalize a contract. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department’s Request for Proposal to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with an awarded 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.

1. **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 conditional award selection or non-selection will be made in writing by the Department.
   3. Issuance of the 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 the RFP, 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.
2. **Appeal of Contract Awards**

Any person aggrieved by the award decision that results from the RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in [5 M.R.S.A. § 1825-E](http://www.mainelegislature.org/legis/statutes/5/title5sec1825-E.html) and [18-554 Code of Maine Rules 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 conditional contract award.

**PART VI CONTRACT ADMINISTRATION AND CONDITIONS**

1. **Contract Document**
   1. The awarded Bidder will be required to execute a State Service Contract with appropriate riders as determined by the issuing department.

Forms and contract documents commonly used by the Department can be found on the Department’s [Division of Contract Management website](https://www.maine.gov/dhhs/about/financial-management/contract-management).

* 1. 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 Bidders. (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.

* 1. The State recognizes 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 State Procurement Review Committee. Any appeals to the Department’s award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date listed in the RFP may need to be adjusted, if necessary, to comply with mandated requirements.
  2. In providing services and performing under the contract, the awarded Bidder must act as an independent contractor and not as an agent of the State of Maine.

1. **Standard State Contract Provisions**
   1. Contract Administration

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 Bidder in the finalization of the contract.

* 1. Payments and Other Provisions

The State anticipates paying the Contractor on the basis of net 30 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from the RFP.

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

**Appendix A** – Proposal Cover Page

**Appendix B** – Debarment, Performance, and Non-Collusion Certification

**Appendix C** – Eligibility to Submit Bids Form

**Appendix D** – Qualifications and Experience Form

**Appendix E** – Subcontractors Form

**Appendix F** – Litigation Form

**Appendix G** – Response to Proposed Services Form

**Appendix H** – Cost Proposal Form

**Appendix I** – Submitted Questions Form

**APPENDIX A**

**State of Maine**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

**PROPOSAL COVER PAGE**

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Bidder’s Organization Name:** | |  | | | | |
| **Vendor Customer Code**  (for current State of Maine vendors)**:** | | | | | VC | |
| **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:** | |  |
| **Street Address:** | |  | | | | |
| **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 contract with the Department if they are 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 Health and Human Services**

*Maine Center for Disease Control and Prevention*

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

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification 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.*
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*.
5. *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.*

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

**APPENDIX C**

**State of Maine**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

**ELIGIBILITY TO SUBMIT A BID FORM**

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

|  |  |  |
| --- | --- | --- |
| **Bidder’s Organization Name:** |  | |
| **Eligibility Certification**  Bidders must have at least five (5) years of experience in the last ten (10) years providing state and federal laboratory procedures and protocols training and certification to state or local labs. | | |
| 1. Does the Bidder have at least five (5) years' experience in the last ten (10) years providing state and federal laboratory procedures and protocols training and certification to state or local labs? | | ☐ Yes or ☐ No |
| 1. If the Bidder experience is outlined in **Appendix D** under the Project descriptions, identify which Project(s) demonstrate meeting the requirement. Otherwise, provide a detailed description of the Bidder’s experience below. | | Project One  Project Two  Project Three |
|  | | |
| *Bidders must provide specific details (i.e., time period of experience (specific years), specific project eligibility requirements, etc.) in their project(s) in order for the proposal Evaluation Team to determine eligibility. Lack of details may result in the proposal being disqualified as non-responsive.* | | |

**APPENDIX D**

**State of Maine**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

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

|  |
| --- |
| **Present a brief statement of qualifications describing 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.** |
|  |

|  |
| --- |
| **Provide a description of three (3) projects that occurred within the past five (5) years which reflect experience and expertise needed in performing the functions described in Part II – Scope of Services to be Provided of the RFP. 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.**  *Projects related to Appendix C – Eligibility must include specific details (i.e., time period of experience (specific years), specific project eligibility requirements, etc.) in order for the proposal Evaluation Team to determine eligibility. Lack of details may result in the proposal being disqualified as non-responsive.* |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Project One** | | | | |
| **Business Reference Name:** | |  | | |
| **Reference Contact Person:** | |  | | |
| **Telephone:** | |  | | |
| **E-Mail:** | |  | | |
| **Description of Project** | | | | |
| **Project Start Date** |  | | **Project End Date** |  |
|  | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Project Two** | | | | |
| **Business Reference Name:** | |  | | |
| **Reference Contact Person:** | |  | | |
| **Telephone:** | |  | | |
| **E-Mail:** | |  | | |
| **Description of Project** | | | | |
| **Project Start Date** |  | | **Project End Date** |  |
|  | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Project Three** | | | | |
| **Business Reference Name:** | |  | | |
| **Reference Contact Person:** | |  | | |
| **Telephone:** | |  | | |
| **E-Mail:** | |  | | |
| **Description of Project** | | | | |
| **Project Start Date** |  | | **Project End Date** |  |
|  | | | | |

**APPENDIX E**

**State of Maine**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

## SUBCONTRACTORS FORM

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

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

|  |
| --- |
| **If subcontractors, including consultants, are to be used, provide each individual subcontractor’s business or consultant’s name, contact person, address, phone number, and a brief description of the subcontractor’s organizational or consultant’s capacity and qualifications. Bidders may add additional Subcontractors/Consultants as needed.** |

|  |  |
| --- | --- |
| **Subcontractor/Consultant** | |
| **Subcontractor Business or Consultant’s Name:** |  |
| **Contact Person:** |  |
| **Address:** |  |
| **Phone Number:** |  |
| **E-Mail:** |  |
| **Subcontractor/consultant organizational capacity and qualifications** | |
|  | |

|  |  |
| --- | --- |
| **Subcontractor/Consultant** | |
| **Subcontractor Business or Consultant’s Name:** |  |
| **Contact Person:** |  |
| **Address:** |  |
| **Phone Number:** |  |
| **E-Mail:** |  |
| **Subcontractor/consultant organizational capacity and qualifications** | |
|  | |

**APPENDIX F**

**State of Maine**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

## LITIGATION FORM

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

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

|  |
| --- |
| **Provide 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 the 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 has occurred, write “none.”** |

|  |  |
| --- | --- |
|  | |
| **Case #** |  |
| **Entity Filing Suit:** |  |
| **Complaint/Accusation:** |  |
| **Amount:** |  |
| **Outcome** |  |
|  | |
| **Case #** |  |
| **Entity Filing Suit:** |  |
| **Complaint/Accusation:** |  |
| **Amount:** |  |
| **Outcome** |  |
|  | |
| **Case #** |  |
| **Entity Filing Suit:** |  |
| **Complaint/Accusation:** |  |
| **Amount:** |  |
| **Outcome** |  |

**APPENDIX G**

**State of Maine**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

## RESPONSE TO PROPOSED SERVICES FORM

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

**The response to proposed services form may be obtained in a Word (.docx) format by double clicking on the document icon below.**



**APPENDIX H**

**State of Maine**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

**COST PROPOSAL FORM**

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |
| **Proposed Cost:** | **$** |

**Instructions:** The Bidder must complete and submit budget forms providing a detailed breakdown of expenses in performing the services for the initial period of performance as described in this RFP and in the Bidder’s proposal. The total expenses amount is the proposed cost to be used in the scoring cost formula for evaluation purposes.

**The Budget Form may be obtained in an Excel (.xlsx) format by double clicking on the document icon below.**

****

**APPENDIX I**

**State of Maine**

**Department of Health and Human Services**

*Maine Center for Disease Control and Prevention*

**SUBMITTED QUESTIONS FORM**

**RFP# 202407127**

**Health and Environmental Testing Laboratory (HETL)**

**Safety Training and Certification Services**

This form should be used by Bidders when submitting written questions to the RFP Coordinator as defined in Part III of the RFP.

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

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

|  |  |
| --- | --- |
| **RFP Section & Page Number** | **Question** |
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