**STATE OF MAINE**

**Department of Environmental Protection**

**Bureau of Remediation & Waste Management, Division of Remediation**



**RFP# 202505074**

**Brownfields Environmental Contractor Services**

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| --- | --- | --- |
| **RFP Coordinator** | **NAME:** | Christopher Redmond  |
| **TITLE:** | DEP Brownfields Coordinator |
| **EMAIL:** | Christopher.Redmond@maine.gov  |
| *All communication regarding the RFP must be made through the RFP Coordinator.* |

|  |  |
| --- | --- |
| **Submitted Questions Due Date** | June 19, 2025, no later than 11:59 p.m., local time |
| *All questions must be received by the RFP Coordinator by the date and time listed above.*  |

|  |  |  |
| --- | --- | --- |
| **Proposal Submission Deadline** | **DATE:** | July 9, 2025, no later than 11:59 p.m., local time. |
| **TO:** | Proposals@maine.gov |
| *Proposals must be received electronically by the Office of State Procurement Services by the date and time listed above.* |

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PUBLIC NOTICE

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**State of Maine**

**Department of Environmental Protection**

**RFP# 202505074**

**Brownfields Environmental Contractor Services**

The State of Maine is seeking proposals for environmental contractors to serve as Qualified Environmental Professionals (QEPs) on Brownfields projects funded by the Department, primarily through U.S. Environmental Protection Agency grants.

A copy of the RFP and all related documents can be obtained at: <https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps>

Proposals must be submitted to the Office of State Procurement Services, via e-mail, at: Proposals@maine.gov. Proposal submissions must be received no later than 11:59 p.m., local time, on July 9, 2025. Proposals will be opened the following business day.

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**RFP TERMS/ACRONYMS with DEFINITIONS**

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

|  |  |
| --- | --- |
| **Term/Acronym** | **Definition** |
| **AAI** | All Appropriate Inquiries |
| **ABCA** | Analysis of Brownfields Cleanup Alternatives |
| **ACRES** | Assessment, Cleanup and Redevelopment Exchange System, a- federal EPA Brownfields tracking database |
| **ASTM** | ASTM International |
| **BABA** | Build America Buy America Act |
| **Bidder** | Company submitting a proposal in response to this RFP |
| **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 |
| **CFR** | Code of Federal Regulations |
| **Contractor** | Environmental Consulting Company or Consultant (EPA Brownfields Grant Terms & Conditions only reference “Contractors” not “Consultants” |
| **CWAGST** | Community Wide Assessment Grant for States and Tribes  |
| **Department** | Department of Environmental Protection |
| **EDD** | Electronic Data Deliverable |
| **EGAD** | Environmental and Geographic Analysis Database |
| **EPA** | United States Environmental Protection Agency |
| **ESA** | Environmental Site Assessment |
| **HAZWOPER** | Hazardous Waste Operations and Emergency Response |
| **LG** | Maine Licensed Geologist |
| **OSHA** | Occupational Safety and Health Administration |
| **PE** | Maine Licensed Professional Engineer |
| **PPE** | Personal Protective Equipment |
| **QAPP** | Quality Assurance Project Plan |
| **QEP** | Qualified Environmental Professional (Defined in EPA’s All Appropriate Inquiries Rule) |
| **RFB** | Request for Bids (aka mini-bid process) |
| **RFP** | Request for Proposal |
| **SSQAPP** | Site Specific Quality Assurance Project Plan |
| **State** | State of Maine |
| **Vendor** | Companies selected through this RFP process (aka Contractors, Consultants, or QEPs). |

**State of Maine**

**Department of Environmental Protection**

Bureau of Remediation & Waste Management, Division of Remediation

**RFP# 202505074**

**Brownfields Environmental Contractor Services**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Maine Department of Environmental Protection (Department) is seeking environmental contracting companies to serve as Qualified Environmental Professionals (QEPs) on Brownfields projects funded by the Department, as outlined in this Request for Proposals (RFP) document. This RFP provides instructions for submitting proposals, the procedures and criteria by which the awarded Vendors will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Vendors.

The Department’s Brownfields Program receives funding in the form of Brownfields grants from the United States Environmental Protection Agency (EPA). This includes, but is not limited to, annual “Section 128(a)” grant funds, including any Bipartisan Infrastructure Law (BIL) Brownfields funding, and the $2,000,000 EPA Brownfields Community Wide Assessment Grant for States and Tribes (CWAGST) that was awarded to the Department in May 2025. Other funding may include periodic EPA Brownfields assessment, cleanup, planning, and/or other Brownfields related funds awarded to the Department in the future, and during the period of performance of this RFP. A portion of such funding is used to hire QEPs to assess individual properties throughout the State, with a goal of identifying and evaluating environmental risks and then remediating such properties to protect human health, safety, and the environment. This work will position contaminated properties for successful redevelopment and reuse.

The selected Vendors will work closely with staff from the Department’s Brownfields Program and representatives from EPA Region 1 to carry out the specific activities to accomplish project objectives and comply with EPA grant requirements and Department programmatic requirements, including EPA’s Terms and Conditions with the Department. The selected Vendors will demonstrate direct successful experience conducting hazardous substance and petroleum site investigations at environmental assessment and/or remediation sites. This may include, but is not limited to, familiarity with and ability to follow Department policies, procedures, and guidelines, as well as any experience following EPA Brownfields or other federal grant requirements and EPA Region 1 Brownfields or other EPA guidance, as applicable.

Individual Brownfield projects requiring environmental assessment, remedial planning, and cleanup will be identified during the performance period of this RFP. Vendors will be assigned tasks on the site-specific projects.

The Department anticipates selecting multiple Vendors through this RFP and assigning work to Vendors in an overall financially equitable manner where, over the period of this award, roughly equal dollar amounts of work tasks are assigned to each Vendor. This will be done with an understanding that it will be impossible to have precise financial equity, due to the uncertain nature of the environmental investigation and remedial work being undertaken. The Department will strive to be fair in this, but some amount of understanding and flexibility will be required by selected Vendors. The Department may also consider Vendor performance under this RFP when assigning future tasks, in that sub-par performance may result in fewer tasks assigned, at the discretion of the Department. The total dollar amounts of work tasks awarded to Vendors is also somewhat uncertain, since it is ultimately dependent on the amount of Brownfields funding awarded to the Department over the period of performance for this RFP, and the projects undertaken.

The tasks that individual Vendors are assigned will be at the sole discretion of the Department, but consideration will be given to scheduling availability, previous involvement or familiarity with a site, unique technical capabilities or experience related to specific project challenges, any conflicts of interest, prior performance, and budget constraints. The goal is to allow multiple projects and simultaneous work to be completed in a timely, efficient, and professional manner.

The Department reserves the right to procure environmental contractors to complete Brownfields work tasks through other means, if deemed advantageous for a particular project, and at the sole discretion of the Department. This includes, but is not limited to, utilizing the Department’s existing Pre-Qualified Vendor List for Environmental Consulting Services (RFP #202407136).

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 outlined in 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 will take careful note that in evaluating a proposal submitted in response to the 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, past performance with the Department and as applicable, 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 an 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.). State contracts and information related to contracts, including bid submissions, are generally public records per FOAA.
	8. In the event that a Bidder 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 Bidder to determine whether the information is an exception to FOAA’s definition of public record. If the Department determines to release information that a Bidder has marked confidential, it shall provide advance notice to the Bidder 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 proposals received in response to the RFP.
	10. All applicable laws, whether or not herein contained, are included by this reference. It is the Bidder’s responsibility to determine the applicability and requirements of any such laws and to abide by them.
2. **Eligibility to Submit Bids**

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

1. **Contract Term**

The Department is seeking cost-efficient proposals to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. The dates below are estimated and may be adjusted, as necessary, in order 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.

The term of the anticipated contract resulting from the RFP, and dependent on continued funding availability and satisfactory Vendor performance, is defined as follows:

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Period of Performance | 10/01/2025 | 09/30/2030 |

1. **Number of Awards**

The Department anticipates making multiple awards as a result of this RFP process. The Department anticipates selecting five (5) Vendors to provide Brownfields environmental contracting services for the duration of the RFP period of performance. This will be dependent on the number and quality of proposals received, that is in the best interest of the State, and at the sole discretion of the Department.

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

1. **General Provisions** - The following general provisions apply to the listed tasks below, and preference may be given to Bidders able to meet these provisions:

	1. Work will be conducted at sites throughout the State. Preference may be given to Bidders who have successfully performed environmental assessment and remediation work in the State.
	2. Phase I Environmental Site Assessments (ESAs) must be AAI compliant and meet the ASTM 1527-21 guidelines (and any updates, as applicable during the period of performance) and must be conducted under the direction of an Environmental Professional, as defined in [40 CFR § 312.10](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-J/part-312/subpart-B/section-312.10).
		1. **Proposal requirement:** Please identify which project team member or members meet this definition and briefly summarize their education and experience that supports this designation, if applicable.
	3. Field staff must have satisfactorily completed 40-hour HAZWOPER safety training and maintain a current OSHA field certification for working on hazardous substance and petroleum contaminated sites.
		1. **Proposal requirement:** Documentation of such must be submitted within your RFP submittal (i.e., copies of training certificates).
	4. The awarded Bidder must have a Maine Licensed Geologist (LG) on staff and all activities requiring geologic and/or hydrogeologic interpretation shall be completed or overseen by a LG. The LG must sign and stamp all final reports presenting these interpretations, as required by the Board of Certification for Geologists and Soil Scientists.
		1. **Proposal requirement:** Documentation of LG licensure must be included within your RFP submittal (i.e., copies of current State license).
	5. The awarded Bidder must have a Maine Licensed Professional Engineer (PE) on staff or as a subcontractor. All work involving the practice of professional engineering shall be performed by a Maine Licensed PE. All documents prepared by the PE shall be signed and stamped by the PE, as required by the Board of Licensure for Professional Engineers.
		1. **Proposal requirement:** Documentation of PE licensure must be included within your RFP submittal (i.e., copies of current State license).
	6. The awarded Bidder must identify a specific core project team that will be primarily responsible for the tasks listed below in Part II Section B(1-7), and must clearly identify the role that each team member will play, including, but not limited to, fieldwork activities. The Department anticipates that the core project team will minimally consist of a Project Manager/Leader, a LG, and a PE, and understands that one team member may be qualified to serve multiple roles. To maintain consistency and foster clear communication throughout the contract period, the identified core project team is expected to implement tasks for the duration of the contract period, unless the Department requests and approves project team changes, or agrees in writing to personnel changes proposed by the Vendor during the period of performance of the RFP.
	7. As applicable, and depending on the specific Brownfields grant funding source, the awarded Bidder must conduct work in accordance with applicable EPA grant Terms and Conditions, which are available for download from the Department’s ftp website:

<https://www.maine.gov/dep/ftp/Site-Info-For-Bidders/Brownfields-RFP-2025/>

* 1. Any laboratory used for performing analytical analysis must be certified by the State for the methods and analytes requested, and the awarded Bidder must perform quality assurance and quality control assessments on collected analytic data. Environmental data (laboratory data and field data) must be submitted to the Department in a Department approved Electronic Data Deliverable (EDD) format for uploading to the Department’s database (EGAD). See <https://www.maine.gov/dep/maps-data/egad/> for more information.
	2. The awarded Bidder will have a Generic Brownfields Quality Assurance Project Plan (QAPP) approved by Region 1 EPA and the Department that is less than five (5) years old. Any updates to the Generic Brownfields QAPP during the period of performance will be at the awarded Bidder’s cost.
	3. Additional documents related to this RFP, including EPA brownfields grant terms and conditions, are available for download from the Department’s ftp website:

<https://www.maine.gov/dep/ftp/Site-Info-For-Bidders/Brownfields-RFP-2025/>

1. **TASKS**

The awarded Bidder’s scope of services will include a wide range of technical, regulatory, and managerial tasks to complete brownfield assessments and cleanup planning, to engage with communities where work is performed, and to ensure the successful administration of the projects in accordance with State and EPA policies, and the terms and conditions of EPA grants. The list below offers a brief description of common QEP tasks but is not comprehensive.

**Proposal requirement:** Bidders may discuss other relevant tasks in their responses and expand on stated tasks.

* 1. Community Engagement: Engage with communities and local municipalities to encourage and assist them in the identification of potential Brownfield sites.
	2. Phase I ESAs: Perform site visits, related research, and Phase I ESA report preparation in accordance with ASTM E1527-21 and EPA’s All Appropriate Inquiries (AAI) Rule.
	3. SSQAPPs: Based on the findings of the Phase I ESA and the Departments goals, initiatives, and funding prepare a Site-Specific QAPP to address proposed field activities and sampling and data collection methods for submittal to the Department and EPA for review and approval prior to initiation of additional assessment/investigation activities.
	4. Phase II ESAs: Prepare Phase II ESA reports in general compliance with ASTM E1903-19, including any other related steps necessary to execute high quality work and comply with Department and EPA Region 1 Brownfields requirements, policies, procedures, and guidelines. This may include preparation of health and safety plans, and clearing utilities, and conducting hazardous building materials surveys.
	5. Clean-up Planning and Feasibility Studies: Based on Phase II ESA results and identified site risks, prepare an Analysis of Brownfields Cleanup Alternatives (ABCA), environmental feasibility study reports, remedial plans, and any related outreach and communication documents. Work must be done in accordance with current Department and EPA Region 1 Brownfields requirements, policies, procedures, and guidelines.
	6. Community Outreach Meeting: Prepare and conduct Community Outreach to gather present the draft ABCA to the community. Collect and summarize comments and include in the final ABCA.
	7. Implement Selected Cleanup Strategies: Prepare remedial plans, assist the Department in hiring and managing subcontractors, and implement and oversee environmental cleanups based on selected remedial options. Work must be done in accordance with both Department and EPA Region 1 Brownfields requirements, policies, procedures, and guidelines.
		1. The awarded Bidder will be responsible for preparing bid documents, conducting pre-bid site meetings with prospective subcontractors, assisting the Department where applicable with bid selection and evaluation, compliance with Davis Bacon Act (DBA) requirements and oversight of remediation and cleanup.
		2. The awarded Bidder will also be responsible for BABA compliance where appropriate and if applicable.
		3. The awarded Bidder will also be responsible for preparing as-built drawings and final construction plans.

These activities are considered as “including but not limited to” and will be subject to the site-specific conditions.

**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 E** (Submitted Questions Form) for submission of questions. If used, the form is to be submitted as a WORD document.
		2. Questions 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. The RFP Number and Title must be included in the subject line of the e-mail containing the submitted questions. 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: [Office of State 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: [Office of State 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. **Proposal Submission**
	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 must be submitted to the Office of State Procurement Services at 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 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. Bidders should work with their Information Technology team to ensure that the proposal submission will not be encrypted due to any security settings.
		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.
	3. **Submission Format:**
		1. Bidders are to insert the following into the subject line of their e-mail proposal submission: **“RFP# 202505074 Proposal Submission – [Bidder’s Name]”**
		2. 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** (Responsible Bidder Certification)

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

*PDF format preferred*

**Appendix C** (Organization Qualifications and Experience Form) and all required information and attachments stated in PART IV, Section II.

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

*PDF format preferred*

All required information stated in PART IV, Section III.

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

*PDF format preferred*

**Appendix D** (Cost Proposal Form) and all required information and attachments 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.

Bidders’ proposals 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. Bidders must 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 show 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 enter into contracts on behalf of the Bidder.

* 1. **Responsible Bidder Certification**

Bidders must complete **Appendix B** (Responsible Bidder Certification). The Responsible Bidder Certification must be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

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

* 1. **Overview of the Organization – Limit 18 Pages, Including Figures**

Bidders must complete **Appendix C** (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 which demonstrate their experience and expertise in performing these services, as well as highlighting the Bidder’s stated qualifications and skills. The Department requests that one of the example projects be one where the Bidder completed work from the initial investigation phase through completion of remediation. The proposed core project team members who worked on the example projects and their roles and responsibilities must be stated for each example project. As part of your response, and for each of the three (3) example projects, include a full page copy of a figure used in one of the project reports that highlights Bidders ability to clearly convey technical information to a wide audience.

* 1. **Subcontractors**

If subcontractors are to be used, Bidders must provide a list that specifies the name, address, phone number, contact person, and a brief description of the subcontractors’ organizational capacity and qualifications.  This does not count toward the page limit in #1 above.

* 1. **Organizational Chart**

Bidders must provide an organizational chart.  The organizational chart must include the core project team members being proposed.  Each position must be identified by position title and correspond to the personnel job descriptions (roles and responsibilities for this contract). This does not count toward the page limit in #1 above.

* 1. **Litigation**

Bidders must 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 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. This does not count toward the page limit in #1 above.

* 1. **Financial Viability**

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

* + 1. Balance Sheets
		2. Income (Profit/Loss) Statements
	1. **Licensure/Certification**

Bidders must provide documentation of any applicable licensure/certification or specific credentials that are related to providing the proposed services of the RFP. This does not count toward the page limit in #1 above. This documentation must include:

* Copies of current training certificates for OSHA HAZWOPER training for all team members that will perform field work (including subcontractors).
* Copies of Maine Licensed Geologist(s) current State license.
* Copy of Maine Licensed Professional Engineer’s current State license.
* Copy of signed/approved/current Brownfields Generic QAPP signature page, approved by both EPA Region 1 and the Department, if Bidder has such a plan.
	1. **Certificate of Insurance**

Bidders must 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. This does not count toward the page limit in #1 above.

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

* 1. **Services to be Provided (Limit 15 Pages)**

Bidders must discuss the Scope of Services referenced above in Part II of the RFP (including all “proposal requirement” items listed) and what the Bidder’s core project team will offer, including, but not limited to:

* A description of the methods and resources the Bidder will use and how each task will be accomplished, and in accordance with EPA brownfields grant terms and conditions.
* A description of Bidder’s approach to working with the Department, EPA, and community members.
* Bidders must describe how the expectations and/or desired outcomes as a result of these services will be achieved.
* A description of the work each subcontractor will perform.

There is not a set format for response to this section. Note that copies of any requested professional licenses or training certifications should be included in Bidders’ response to Section II above, and will not be counted as part of any stated page limits in the RFP.

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

* 1. **General Instructions**
		1. Bidders must submit a rate sheet that covers the period starting 10/01/2025 and ending on 09/30/2030. Rate escalation clauses may be included but are not a guarantee of acceptance by the Department should the Bidder receive an award.
		2. The rate sheet 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 D** (Cost Proposal Form), following the instructions detailed in the form. Failure to provide the requested information, and to follow the required cost proposal format provided, may result in disqualification or reduction in scoring of the cost proposal, at the discretion of the Department.

Specific rates for the specified core project team must be included. A “range” of hourly pricing for multiple staff with the same job titles will not be accepted. Rate escalation clauses may be included but are not a guarantee of acceptance by the Department should the Bidder receive an award. Subcontractor markups and other fees must be included, but specific subcontractor pricing is not required.

**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.
	4. Changes to proposals, including updating or adding information, will not be permitted during any portion of the evaluation process. 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:** Proposal scores 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**Proposal materials to be evaluated in this section: all elements addressed in Part IV, Section I of the RFP. | **(No Points)** |
| **Section II.** | **Organization Qualifications and Experience** Proposal materials to be evaluated in this section: all elements addressed above in Part IV, Section II of the RFP. | **(35 points)** |
| **Section III.** | **Proposed Services** Proposal materials to be evaluated in this section: all elements addressed above in Part IV, Section III of the RFP. | **(40 points)** |
| **Section IV.** | **Cost Proposal** Proposal materials to be evaluated in this section:all elements addressed above in Part IV, Section IV of the RFP. | **(25 points)**  |

* 1. **Scoring Process:** For proposals that demonstrate meeting the eligibility requirements in Section I, if applicable, 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 25 points. Proposals with higher bid 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 (25) = 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 Bidders 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 of Maine Master Agreement Contract with appropriate riders as determined by the issuing department.

The complete set of standard State of Maine Service Contract documents, along with other forms and contract documents commonly used by the State, may be found on the Office of State Procurement Services’ website at the following link: [Office of State Procurement Services Forms Page](https://www.maine.gov/dafs/bbm/procurementservices/forms)

* 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** – Responsible Bidder Certification

**Appendix C** – Qualifications and Experience Form

**Appendix D** – Cost Proposal Form

**Appendix E** – Submitted Questions Form

**APPENDIX A**

**State of Maine**

**Department of Environmental Protection**

**PROPOSAL COVER PAGE**

**RFP# 202505074**

**Brownfields Environmental Contracting 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 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 Environmental Protection**

**RESPONSIBLE BIDDER CERTIFICATION**

**RFP# 202505074**

**Brownfields Environmental Contracting 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.*
6. *Is not a foreign adversary business entity (*[*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies)*).*
7. *Is not on the list of prohibited companies (*[*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies)*) or does not obtain or purchase any information or communications technology or services included on the list of prohibited information and communications technology and services* [*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies) *(Title 5 §2030-B).*

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

**APPENDIX C**

**State of Maine**

**Department of Environmental Protection**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202505074**

**Brownfields Environmental Contracting Services**

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

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

|  |
| --- |
| **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. The Department requests that one of the example projects be one where the Bidder completed work from the initial investigation phase through completion of remediation at a site contaminated with hazardous substances. Examples should also highlight familiarity with and ability to follow Department policies, procedures, and guidelines, as well as any experience following EPA Brownfields or other federal grant requirements, and EPA Region 1 Brownfields or other EPA guidance, as applicable. The proposed core project team members who worked on the example projects and their roles and responsibilities must be stated for each example project. As part of your response, and for each of the three (3) example projects, include a copy of a figure used in one of the project reports that highlights Bidders ability to clearly convey technical information to a wide audience. Contract history with the State of Maine, whether positive or negative, may be considered in evaluating proposals even if not provided by the Bidder.** |

|  |
| --- |
| **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** |
|  |

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

**APPENDIX D**

**State of Maine**

**Department of Environmental Protection**

**COST PROPOSAL FORM**

**RFP# 202505074**

**Brownfields Environmental Contracting Services**

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

The proposed cost must be presented as a fixed amount total.

The fixed amount total will be used to score the cost proposal as defined Part V, B, 3 of the RFP.

Provide a total cost for 30 hours of time for the identified Project Manager/Lead, 40 hours of time for the identified lead Licensed Geologist, and 10 hours of time for the identified lead Project Engineer. Clearly present the information in a table format minimally showing names, roles, hourly rates, line item totals, and fixed amount total. An example table is provided below. Staff names and rates must be consistent with the core project team identified elsewhere in the RFP. In the event you have multiple staff that may fill the same role listed as part of the core project team (e.g., multiple Licensed Geologists) use the highest listed rate. Note that this is a hypothetical example used for comparing Bidder costs as part of scoring the proposals received in response to this RFP

Also provide a rate sheet that covers the period starting 10/01/2025 and ending on 09/30/2030. Rate escalation clauses may be included but are not a guarantee of acceptance by the Department should the Bidder receive an award. The rate sheet must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements. The rate sheet will not be used to score the cost proposal portion of this RFP, but the rates must be consistent with the submitted cost proposal for this section.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Position Title | Staff Name | Hourly Rate ($/hr.) | Number of Hours | Cost ($) |
| Project Manager/Lead |  |  |  |  |
| Lead Licensed Geologist |  |  |  |  |
| Lead Project Engineer |  |  |  |  |
| Total Cost: |  |

 **APPENDIX E**

**State of Maine**

**Department of Environmental Protection**

**SUBMITTED QUESTIONS FORM**

**RFP# 202505074**

**Brownfields Environmental Contracting 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.

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

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