**STATE OF MAINE**

**Department of Environmental Protection**

*Division of Materials Management*



**RFP#201806111**

**Grants to Support Recycling and Organics Management Initiatives**

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| --- | --- |
| **RFP Coordinator** | *All communication regarding this RFP must be made through the RFP Coordinator identified below*.  **Name:** Carole Cifrino **Title:** Supervisor, Recycling Programs  **Contact Information:** [carole.a.cifrino@maine.gov](mailto:carole.a.cifrino@maine.gov) |
| **Submitted Questions Due** | *All questions must be submitted to the RFP Coordinator identified above by:*  **Date:** July 31, 2018, no later than 4:00 p.m., local time |
| **Proposal Submission** | **Submission Deadline:** August 15, 2018, no later than 4:00 p.m., local time  *Proposals must be submitted electronically to the following address:*  **Electronic (email) Submission Address:** [Proposals@maine.gov](mailto:Proposals@maine.gov) |

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# **PUBLIC NOTICE**

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**State of Maine**

**Department of Environmental Protection**

**RFP#201806111**

**Grants to Support Recycling and Organics Management Initiatives**

The State of Maine is announcing two related grant programs. One seeks proposals from schools, municipalities and businesses to develop and implement specific composting pilot projects, directed at increasing the recovery and management of food scraps and other organics from the solid waste stream, as directed in Public Law Chapter 461 (April 2016). The second grant program seeks proposals from public and private entities, to develop recycling and organics management programs aimed at increasing diversion of recyclables and organics, including food scraps, from disposal, as provided for under 38 MRSA §2201-B. Maine Solid Waste Diversion Grant Program.

A copy of the RFP, as well as the Question & Answer Summary and all amendments related to this RFP, can be obtained at the following website: <http://www.maine.gov/purchases/venbid/rfp.shtml>

Proposals must be submitted to the State of Maine Division of Procurement Services, via e-mail, to the following email address: [Proposals@maine.gov](mailto:Proposals@maine.gov). Proposal submissions must be submitted no later than 4:00 pm, local time, on August 15, 2018, when they will be opened. Proposals will be opened at the Burton M. Cross Office Building, 111 Sewall Street - 4th Floor, Augusta, Maine. Proposals not submitted to the Division of Procurement Services’ aforementioned email address by the aforementioned deadline will not be considered for contract award.

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

**RFP DEFINITIONS/ACRONYMS**

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

1. **RFP:** Request for Proposals
2. **State:** State of Maine
3. **Department:** Department of Environmental Protection
4. **Composting:** Aerobic decomposition of organic materials, creating a stable humus product
5. **Food Scraps:** Food preparation discards; uneaten or spoiled food
6. **Organics:** Carbon based materials, including but not limited to, food scraps, leaves, grass, sawdust, horse and bovine manures
7. **Organics Management:** Separation of food scraps or other organics from solid waste, and having those materials composted, anaerobically digested or otherwise beneficially reused
8. **Recycling:** The process of collecting and processing materials that would otherwise be thrown away as trash and turning them into new products

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

*Division of Materials Management*

**RFP#201806111**

**Grants to Support Recycling and Organics Management Initiatives**

# **PART I INTRODUCTION**

## A. Purpose and Background

The Department of Environmental Protection (“Department”) is seeking proposals for the development and implementation of various recycling and organics management programs and activities, aimed at increasing the recovery and utilization of discarded materials and organics, as defined in this Request for Proposals (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the Provider(s) will be selected and the contractual terms which will govern the relationship between the State of Maine (“State”) and the awarded Grant Applicants.

Through this RFP, the Department is seeking responses to two similar, but separate, grant funded opportunities:

**1. Composting Pilot Projects**: Public Law Chapter 461 (April 2016) directs the Department to develop, implement and administer a food scraps composting pilot program. The nature of this grant program and identified potential participants restricts the type and number of eligible applicants; and

**2. Recycling or Organics Management Programs**: Under 38 MRSA §2201-B. Maine Solid Waste Diversion Grant Program, the Department is providing grant funding to eligible public and private entities to assist in the development, implementation or improvement of recycling or organics management programs, initiatives or activities designed to increase the diversion of selected materials from solid waste disposal. The Department prefers submittals from municipalities and regional associations that take advantage of regional economies of scale.

## B. General Provisions

1. From the time this RFP is issued until award notification is made, all contact with the State regarding this RFP must be made through the aforementioned RFP Coordinator. No other person/ State employee is empowered to make binding statements regarding this RFP. Violation of this provision may lead to disqualification from the bidding process, at the State’s discretion.
2. Issuance of this RFP does not commit the Department to issue an award or to pay expenses incurred by a Applicant in the preparation of a response to this RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
3. All proposals should adhere to the instructions and format requirements outlined in this RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Proposals are to follow the format and respond to all questions and instructions specified below in the “Proposal Submission Requirements” section of this RFP.
4. Applicants shall take careful note that in evaluating a proposal submitted in response to this RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Applicant (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Applicant’s experience and capabilities.
5. The proposal shall be signed by a person authorized to legally bind the Applicant and shall contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 180 days from the date and time of the bid opening.
6. The RFP and the selected Applicant’s proposal, including all appendices or attachments, shall be the basis for the final contract, as determined by the Department.
7. Following announcement of an award decision, all submissions in response to this RFP will be considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) (1 M.R.S. §§ 401 et seq.).

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

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

## C. Eligibility to Submit Bids

For each grant program, the eligible entities listed below are invited to submit bids in response to this Request for Proposals.

* + - 1. For the composting pilot projects, the following entities are eligible to submit proposals: municipalities, public or private educational program providing K to 12 education; public or private postsecondary educational program; correctional facilities; hospitals, and commercial restaurants that generate, on average, 1000 pounds or more of food scraps per week.
      2. For the recycling or organics management programs, the following entities are eligible to submit proposals: municipalities, regional associations, counties and Maine businesses.

## D. Contract Term

The Department is seeking a cost-efficient proposal(s) as defined in this RFP for the anticipated contract period defined in the table below. Please note that the dates below are estimated and may be adjusted, as necessary, to comply with all procedural requirements associated with this 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 this RFP, is defined as follows:

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Period of Performance –  Composting Pilot Projects | September 1, 2018 | Up to 1 year from start date |
| Period of Performance –  Recycling/Organics Programs | September 1, 2018 | Up to 2 years from start date |

## E. Number of Awards

The Department anticipates making multiple awards as a result of this RFP process within each of the two identified grant projects. The number of awards will be based on the ranking of proposals and availability of funds.

* 1. Composting Pilot Project - Up to ten awards are anticipated to be made. A total of twenty thousand dollars ($20,000) is available for all these projects combined.
  2. Recycling or Organics Management Program – Up to six awards are anticipated to be made. A total of eighty thousand dollars ($80,000) is available for all these projects combined.

# 

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

**Proposed project(s) to be submitted separately for each grant type listed below.**

1. **For the Composting Pilot Projects**: The Department is seeking to award multiple projects directed at separating and diverting food scraps from the solid waste stream to composting, anaerobic digestion or other acceptable reuse activity may be developed and implemented. Pilot projects must be planned to be less than twelve months in length, and must provide the Department with ongoing operational and data reports throughout the project. The proposal shall address the following:
   * + 1. Description of the existing composting/organics management program or practices.
       2. Description of the proposed pilot project, including its essential elements, location, school, municipality(ies) or businesses served, and the anticipated benefits, addressing the following points:
2. Identify components of the waste stream that will be diverted and directed towards reuse, composting, or captured for other acceptable organics management;
3. An evaluation of the feasibility of the initiative;
4. Quantification of the amount of the waste stream that will be diverted and directed towards reuse, composting or captured for other organics management as a result of this grant;
5. An explanation of how the project will impact your program’s current and future operating costs;
6. A site drawing clearly showing all existing relevant facilities and the changes that will result from the proposed project, as applicable;
7. A description of any new equipment and facilities planned to support the proposed project;
8. An explanation of how this project and any existing facilities and operations will fit together;
9. An outline of the planned education campaign, and how it will be implemented; and
10. A description of data gathering and record keeping systems that will be used to measure the amount of food scraps diverted from disposal, and the related cost savings realized by the participating entity(ies) to report to the Department.

No cost sharing by the applicant is required under this grant. Composting projects that have already been undertaken are not eligible for pilot project grant awards.

1. **For Recycling and/or Organics Management Programs**: The Department is seeking to award multiple projects that will assist in the development, implementation or improvement of programs, projects, initiatives or activities which will increase the separation, recovery, recycling or diversion of solid waste from disposal in the State. The Department prefers proposals from municipalities and regional associations that take advantage of regional economies of scale.

The purchased equipment and supporting materials must be primarily dedicated to sustainable material management activities such as recycling or organics management.

The proposal shall include the following, as appropriate and applicable:

1. An explanation of how the proposed program will improve, expand or provide recycling or organics management services, including facility construction, renovation or improvement. Include an estimation of the resulting tonnage diverted from disposal, and as a percentage change in diversion of materials from disposal;
2. A description of how the feasibility of the initiative has been evaluated, including information identifying or supporting the planned ‘end-markets’ for the materials that will be separated from the waste stream and diverted to recycling or organics management options;
3. Identification of proposed acquisitions of recycling equipment, including but not limited to balers, recycling containers, collection bins, curbside containers, and collection vehicles;
4. A description of the purchase or construction of facilities and equipment will be used to assist with source separation, collection and/or receipt of kitchen food discards and other organics (if included), for delivery to composting facilities or anaerobic digesters;
5. An explanation of how this proposed project and any existing facilities and operations fit together;
6. An outline of any planned training, education and outreach, the intended audience(s), and how the training, education and outreach will be implemented; and
7. A description of the data gathering and record keeping systems that will be used to measure the amount of materials diverted from disposal, and the related cost savings realized by the participating entity(ies) to report to the Department.
8. An education/outreach component associated with the implementation of the identified program.

Recycling or organics management projects or programs that have already been undertaken are not eligible for grant awards; proposals for new projects or programs and proposals to expand or improve existing programs or facilities are eligible.

*(Note: For this program, cost-sharing is required, and shall not be less than twenty-five percent (25%) of the total cost identified in the bidder’s proposal. See Part IV, B. Section III Cost Proposal for details.)*

**PART III KEY RFP PROCESS EVENTS**

## Questions

**1. General Instructions**

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

b. Questions must be submitted by e-mail and received by the RFP Coordinator, identified on the cover page of this RFP, as soon as possible but no later than the date and time specified on the RFP cover page.

c. 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: <http://www.maine.gov/purchases/venbid/rfp.shtml>. It is the responsibility of all interested parties to go to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.

## Amendments

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

## Submitting the Proposal

1. **Proposals Due:** Proposals must be received no later than 4:00 p.m. local time, on the date listed on the cover page of this RFP, at which point they will be opened. Proposals received **after** the 4:00 p.m. deadline will be **rejected** without exception.
2. Bidders must submit separate proposal(s) for each grant/project they wish to provide services for.
3. **Delivery Instructions:** Email proposal submissions are to be submitted to the State of Maine Division of Procurement Services, via email, to the email address provided on the RFP Cover Page.
4. Only proposals received by email will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
5. Applicants are to insert the following into the subject line of their email submission:

“**RFP#201806111 Proposal Submission**”

1. Applicant’s proposals are to be broken down into multiple files, with each file named as it is titled in bold below, and include:

- **File #1**: *PDF format preferred*

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

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

- **File #2**: *PDF format preferred*

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

- **File #3**: *PDF format preferred*

Proposed Services (and all related/required attachments)

- **File #4**: *Excel format preferred*

Cost Proposal (**Appendix D** and all related/required attachments)

- **File #5**: *PDF format preferred*

Maine Business and Economic Impact Consideration (**Appendix E**)

# **PART IV PROPOSAL SUBMISSION REQUIREMENTS**

This section contains instructions for Applicants to use in preparing their proposals. The Applicant’s proposal must follow the outline used below, including the numbering and section and sub-section headings as they appear here. Failure to use the outline specified in this section, or to respond to all questions and instructions throughout this document, may result in the proposal being disqualified as non-responsive or receiving a reduced score. The Department, and its evaluation team for this RFP, has sole discretion to determine whether a variance from the RFP specifications should result in either disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in this RFP will, at best, be considered minimally responsive. The Department seeks detailed yet succinct responses that demonstrate the Applicant’s experience and ability to perform the requirements specified throughout this document.

## Proposal Format

* 1. All pages of an Applicant’s proposal should be numbered consecutively beginning with number 1 on the first page of the narrative (this does not include the cover page or table of contents pages) through to the end, including all forms and attachments. For clarity, the Applicant’s name should appear on every page, including Attachments. Each Attachment must reference the section or subsection number to which it corresponds.
  2. The Applicant is asked to be brief and concise in responding to the RFP questions and instructions. Exclusive of the required forms contained in the Appendices to this RFP, applications for Composting Pilot Project grants should not exceed 6 pages and applications for Recycling and Organics Management grants should not exceed 10 pages.
  3. The Applicant may not provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Additional materials not requested will not be considered part of the proposal and will not be evaluated.
  4. Include any forms provided in the submission package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in the RFP.
  5. It is the responsibility of the Applicant to provide all information requested in the RFP package at the time of submission. Failure to provide information requested in this RFP may, at the discretion of the Department’s evaluation review team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.

## 

## Proposal Contents

NOTE: Bidders must submit separate proposal(s) for each grant/project they wish to provide services for.

**Introductory Materials - Required cover page and certification form**

1. The Applicant must complete and submit the “Proposal Cover Page” provided in **Appendix A** of this RFP. It is important that the cover page show the specific information requested, including Applicant address(es) and other details listed. The proposal cover page shall be dated and signed by a person authorized to enter into contracts on behalf of the Applicant.
2. The Applicant must complete and submit the “Debarment, Performance and Non-Collusion Certification Form” provided in **Appendix B** of this RFP. Failure to provide this certification may result in the disqualification of the Applicant’s proposal, at the discretion of the Department.

**Section I   Organization Qualifications and Experience**

1. **Overview of the Organization**

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

1. **Subcontractors**

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

1. **Organizational Chart**

Provide an organizational chart of the Applicant’s organization.  The organization chart must include the project being proposed, and each position must be identified by position title.

1. **Litigation**

Attach a list of all current litigation in which the Applicant is named and a list of all closed cases that have closed within the past five (5) years in which Applicant paid the claimant either as part of a settlement or by decree.  For each, list the entity bringing suit, the complaint, the accusation, amount, and outcome.  If no litigation will be included, write “none” on submitted attachment.

1. **Financial Viability**

Provide a letter briefly describing the financial viability of the bidder’s organization. Please describe any relevant information such as the outcome of past audits, financial accounting practices, etc.  Letter should be signed by the organization’s accountant, bookkeeper or other qualified individual representing the organization.

1. **Licensure/Certification**

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

1. **Certificate of Insurance**

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

**Section II Proposed Services**

* 1. **Project / Program to be Performed**

Discuss the Scope of Services referenced above in Part II of this RFP and what the Applicant will offer. Give particular attention to describing the methods and resources you will use and how you will accomplish the tasks involved. Also, describe how you will ensure expectations and/or desired outcomes as a result of these services will be achieved. If subcontractors are involved, clearly identify the work each will perform. Identify how your proposal meets the priorities identified in 38 MRSA §2201-B or Public Law Chapter 461 (April 2016).

* + - * 1. Provide a brief description of proposed project or program and an explanation of how implementation will improve or expand recycling or organics management services. Include the entities and municipality(ies) which will be involved with the project and their contact information; the physical location of project; and whether a DEP license, if required, exists for current and proposed activities.

1. Identify the components of the waste stream to be diverted and directed towards reuse, composting, captured for other acceptable organics management, or recycled as allowed for the respective grants;
2. Furnish information identifying or supporting the planned ‘end-markets’ for the materials that will be separated from the waste stream and diverted to recycling or organics management options.
3. Describe how the feasibility of the initiative has been evaluated;
4. If applicable, provide a location map showing the proposed project location on one page of 8.5" by 11" paper.
5. If applicable, include a site drawing that clearly shows the facility layout, all existing relevant facilities, and the changes that will result from the proposed project. Photos of the site or proposed equipment may also be included.
6. Describe any new equipment and facilities planned to support the proposed project;
7. Describe how this project and any existing facilities and operations will fit together;
8. Outline the planned education campaign, and how it will be implemented; and
9. Describe data gathering and record keeping systems that will be used to measure the amount of materials diverted from disposal for reporting to the Department.
   1. **Implementation - Work Plan**

Provide a realistic work plan for the implementation of the program through the contract period. Display the work plan in a timeline chart. Concisely describe each program development and implementation task, the month it will be carried out and the person or position responsible for each task. If applicable, make note of all tasks to be delegated to subcontractors.

* 1. **Anticipated Project Benefits**

1. Quantify the expected amount of the waste stream anticipated to be diverted from disposal and directed towards reuse, composting, captured for other organics management or recycled due to implementation of this grant proposal. Express the estimate in tons and as a percentage change in disposal, and how that estimate was determined.
2. Estimate the cost savings anticipated to be realized by the participating entity(ies).
3. Explain how the project will impact your program’s current and future operating costs.

**Section III Cost Proposal**

1. **General Instructions**
2. The Applicant must submit a cost proposal that covers the entire period of the contract term stated in PART I, D.
3. The cost proposal shall include the costs necessary for the Applicant to fully comply with the contract terms and conditions and RFP requirements.
4. No costs related to the preparation of the proposal for this 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.
5. **Cost Proposal Form Instructions**

The Applicant should fill out **Appendix D** (Cost Proposal Form), following the instructions 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.

No cost sharing by the applicant is required for the Composting Pilot Project grants. Projects that have already been undertaken are not eligible for grant awards.

A minimum 25% cost-share is required for the Recycling and Organics Management grants. Eligible cost-sharing includes: services provided by the proposer in planning and implementation of the program, including labor and associated resources; materials or equipment time committed to completing the proposed project/program; current value of equipment associated with implementation of the proposed project/program; and other similar ‘services’ related to the proposed project/program. Value or cost of real estate/land associated with the proposed project/program, and costs associated in acquiring real estate/land needed for the proposed project/program, are not eligible as a cost-share item. Projects that have already been undertaken are not eligible for grant awards.

By submitting this proposal, the Applicant agrees to comply with the audit requirements of 38 MRSA §2201-B.

**Section IV Maine Business and Economic Impact Consideration**

Using **Appendix E** (Maine Business and Economic Impact Consideration Form), the Applicant (Applicant identified on the “Proposal Cover Page” of proposal submission - **Appendix A**) is required to describe the Applicant’s investment in the State of Maine as reported on the most recently completed IRS form W-2. Consideration of this information in making contract award decisions is required in accordance with Executive Order 2017-003, which states “Evaluators of competitive bids for goods and services shall give consideration to the investment in the State by business enterprises as a best-value criterion.” The State reserves the right to verify this information at any time during the evaluation process or after.

# 

# **PART V PROPOSAL EVALUATION AND SELECTION**

Evaluation of the submitted proposals shall be accomplished as follows:

## Evaluation Process - General Information

* + - 1. An evaluation team, comprised of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP, and in accordance with the most advantageous financial and economic impact considerations (where applicable) for the State.
      2. Officials responsible for making decisions on the selection of a contractor shall ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Applicant 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 Applicants if needed to obtain clarification of information contained in the proposals received, and the Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Interviews/presentations are not required, and changes to proposals will not be permitted during any interview/presentation process. Therefore, Applicants should submit proposals that present their rates and other requested information as clearly and completely as possible.

## Scoring Weights and Process

1. **Scoring Weights:** The score will be based on a 100-point scale and will measure the degree to which each proposal meets the following criteria.

**Section I. Organization Qualifications and Experience (20 points)**

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

**Section II. Proposed Services (45 points)**

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

**Section III. Cost Proposal (25 points)**

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

**Section IV. Maine Business and Economic Impact Consideration (10 points)**

Includes all elements addressed above in PART IV, B, Section IV.

1. **Scoring Process:** The review team will use a consensus approach to evaluate and score Sections I & II above. Members of the review team will not score those sections individually but, instead, will arrive at a consensus as to assignment of points for each of those sections. Sections III & IV, the Cost Proposal and Maine Business and Economic Impact Consideration sections, will be scored as described below.

Proposals for each grant type will be scored together. One group will include all the proposals for the Composting Pilot Projects. Once group will include all the proposals for the Recycling or Organics Management Program. Each proposal will only be assigned to one group.

Regarding the proposed funds requested and the proposed work, the review team will consider the degree to which the project represents a *good return for the investment* (money, time) as well as whether the project work and cost estimates (tasks & budget) are reasonable for the expected outcomes, along with the amount and quality of proposed matching funds or services.

No Best and Final Offers: The State of Maine will not seek a best and final offer (BAFO) from any Applicant in this procurement process.  All Applicants are expected to provide their best value pricing with the submission of their proposal.

1. **Scoring the Maine Business and Economic Impact Consideration:** The Maine Business and Economic Impact Consideration for this RFP will be scored based on the information provided by Applicants in **Appendix E** (Maine Business and Economic Impact Consideration Form) compared to the point allocations below:

|  |  |
| --- | --- |
| **Maine Business Analysis** | **Points** |
| Average Percentage of Maine Business Impact - 1 to 74% | 2 points |
| Average Percentage of Maine Business Impact - 75 to 100% | 4 points |

|  |  |
| --- | --- |
| **Maine Economic Impact** | **Points** |
| Sum of Maine Economic Analysis - $1 to $1,000,000 | 2 points |
| Sum of Maine Economic Analysis - $1,000,001 to $10,000,000 | 4 points |
| Sum of Maine Economic Analysis - over $10,000,000 | 6 points |

1. **Negotiations:** The Department reserves the right to negotiate with the successful Applicant to finalize a contract at the same rate or cost of service as presented in the selected proposal. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department’s Request for Proposals to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with a selected Applicant 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 Applicant, the Department may withdraw its award and negotiate with the next-highest ranked Applicant, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

## Selection and Award

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

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

**3.** Issuance of this RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to this request, or to pay costs incurred in Gprocuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Applicant.

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

## Appeal of Contract Awards

Any person aggrieved by the award decision that results from this RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 MRSA § 1825-E and 18-554 Code of Maine Rules, Chapter 120 (found here: <http://www.maine.gov/purchases/policies/120.shtml>).  The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of contract award.

# **PART VI CONTRACT ADMINISTRATION AND CONDITIONS**

## Contract Document

**1.** The successful Applicant will be required to execute a contract in the form of a State of Maine Agreement to Purchase Services (BP54). A list of applicable Riders is as follows:

Rider A: Specification of Work to be Performed

Rider B: Method of Payment and Other Provisions

Rider C: Exceptions to Rider B

The complete set of standard BP54 contract documents may be found on the Division of Procurement Services’ website at the following link: <http://www.maine.gov/purchases/info/forms/BP54.doc>

Other forms and contract documents commonly used by the State can be found on the Division of Procurement Services’ website at the following link: <http://www.maine.gov/purchases/info/forms.html>

**2.** Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Procurement Review Committee. Contracts are not considered fully executed and valid until approved by the State Procurement Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to Applicants. (Referenced in the regulations of the Department of Administrative and Financial Services, Chapter 110, § 3(B)(i):

<http://www.maine.gov/purchases/policies/110.shtml>

This provision means that a contract cannot be effective until at least 14 days after award notification.

**3.** 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 this RFP may need to be adjusted, if necessary, to comply with mandated requirements.

* + - 1. In providing services and performing under the contract, the successful Applicant(s) shall act as an independent contractor and not as an agent of the State of Maine.

## Standard State Agreement Provisions

**1.** Agreement Administration

a. Following the award, an Agreement 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 successful Applicant in the finalization of the contract.

b. In the event that an acceptable contract cannot be negotiated with the highest ranked Applicant, the Department may withdraw its award and negotiate with the next-highest ranked Applicant, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

**2.** Payments and Other Provisions

The State anticipates paying the Grantee 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 this RFP.

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

1. Appendix A – Proposal Cover Page
2. Appendix B – Debarment, Performance and Non-Collusion Certification
3. Appendix C – Qualifications and Experience Form
4. Appendix D – Cost Proposal Form
5. Appendix E – Maine Business and Economic Impact Consideration

**APPENDIX A**

**State of Maine**

**Department of Environmental Protection**

**PROPOSAL COVER PAGE**

**RFP#201806111**

**Grants to Support Recycling and Organics Management Initiatives**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Applicant’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:** | |  | | |

|  |  |
| --- | --- |
| **Grant Type Being Requested:** | **□ Composting Pilot Project**  **□ Recycling or Organics Management Programs** |

* 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 Applicant’s proposal.
* No attempt has been made, or will be made, by the Applicant to induce any other person or firm to submit or not to submit a proposal.
* The above-named organization is the legal entity entering into the resulting agreement with the Department should they be awarded the contract.
* The undersigned is authorized to enter contractual obligations on behalf of the above-named organization.

*To the best of my knowledge, all information provided in the enclosed proposal, both programmatic and financial, is complete and accurate at the time of submission.*

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

**APPENDIX B**

**State of Maine**

**Department of Environmental Protection**

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

**RFP#201806111**

**Grants to Support Recycling and Organics Management Initiatives**

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

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

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

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

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

**APPENDIX C**

**State of Maine**

**Department of Environmental Protection**

## QUALIFICATIONS & EXPERIENCE FORM

**RFP#201806111**

**Grants to Support Recycling and Organics Management Initiatives**

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

|  |  |
| --- | --- |
| **Grant Type Being Requested:** | **□ Composting Pilot Project**  **□ Recycling or Organics Management Programs** |

|  |
| --- |
| **Present a brief statement of qualifications of the participants, including any applicable licensure and/or certification. Describe the history of the Applicant’s organization, especially regarding skills and experience pertinent to the proposed project/program components, and any special or unique characteristics of the organization which would make it especially qualified to perform the required work activities. You may expand this form and use additional pages to provide this information.** |
|  |

**APPENDIX C (continued)**

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

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

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

**APPENDIX C (continued)**

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

**APPENDIX D**

**State of Maine**

**Department of Environmental Protection**

**COST PROPOSAL FORM**

**RFP#201806111**

**Grants to Support Recycling and Organics Management Initiatives**

|  |  |
| --- | --- |
| **Applicant’s Organization Name:** |  |
| **Grant Type Being Requested:** | **□ Composting Pilot Project**  **□ Recycling or Organics Management Programs** |

|  |  |  |
| --- | --- | --- |
| **Cost Proposal** | | |
| Include in this spreadsheet anticipated costs to be funded by the grant and any project / program costs to be funded by the applicant. You may add additional rows as needed. The Recycling and Organics Management grants require a minimum 25% match; no match is required for the Composting Pilot Project grants. | | |
| **Cost item** | **Amount from grant** | **Amount from applicant (if any)** |
| Equipment (list items) |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| Materials (list items) |  |  |
|  |  |  |
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|  |  |  |
|  |  |  |
| Facilities (list items) |  |  |
|  |  |  |
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|  |  |  |
|  |  |  |
| Labor (list positions/roles) |  |  |
|  |  |  |
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|  |  |  |
|  |  |  |
|  |  |  |
| **Totals** |  |  |
| Notes: | | |

**APPENDIX E**

**State of Maine**

**Department of Environmental Protection**

**MAINE BUSINESS AND ECONOMIC IMPACT CONSIDERATION FORM**

**RFP#201806111**

**Grants to Support Recycling and Organics Management Initiatives**

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

**Instructions**

Each Applicant is to complete the table in the excel spreadsheet below to quantify the Applicant’s investment in the State of Maine. Consideration of this information in making contract award decisions is required in accordance with Executive Order 2017-003, which states “Evaluators of competitive bids for goods and services shall give consideration to the investment in the State by business enterprises as a best-value criterion.

