

REQUEST FOR BIDS

RFB # 109

Department of Economic and Community Development Brownfields Revolving Loan Fund Qualified Environmental Professional Services

The Maine Department of Economic and Community Development (DECD) is requesting bids from Pre-Qualified Environmental Consultants (Providers). The requested bids are to provide Qualified Environmental Professional (QEP) oversight services for DECD's Brownfields Revolving Loan Fund (BRLF). Bids will be scored on a mix of cost and methodology, as further detailed below.

Background and Scope of Work:

DECD's BRLF is a multimillion-dollar program funded by the Environmental Protection Agency (EPA) Brownfields Program. The BRLF provides environmental cleanup sub-grants and loans to eligible entities at brownfields sites in Maine. DECD administers the program with the Maine Department of Environmental Protection (DEP) providing technical assistance.

Please see the Tasks listed below regarding expected work to be performed.

DECD anticipates selecting three QEPs as part of this RFB. One QEP will be selected as a primary QEP. The other two QEPs selected will be designated as alternates, in the event DECD determines a conflict of interest exists. An example of a conflict of interest would be if the primary QEP served as or wished to provide QEP services to a DECD BRLF sub-grantee on a cleanup project. The primary QEP must notify DECD if any actual or perceived conflict exists on a given project. If determined by DECD that a conflict does exist, DECD would select one of the alternate QEPs to provide oversight at that particular project.

Work will generally be conducted on a time and materials basis with general cost estimates provided for individual projects that the QEP provides services for. Provided that funding is available, DECD anticipates that the QEP selected through this RFB will provide services to DECD for a period of at least 5 years. DECD's BRLF funds approximately four to six cleanup projects each year with the duration and complexity of each project varying.

At its sole discretion, DECD reserves the right to utilize an alternate QEP/Provider if DECD is not satisfied with the primary QEP's performance or if the primary QEP no longer works at the selected Provider.

The selected Provider will undertake the following services for the Department. Unless otherwise noted, all timeframes refer to calendar days, not business days.

Task 1 – DECD BRLF Oversight

Provide third-party oversight for compliance with the terms and conditions of DECD's BRLF and any other BRLF related services DECD determines necessary. DECD anticipates QEP services will be related to:

- Reviewing drawdown requests or other documentation provided from entities receiving RLF funding to ensure compliance with EPA cooperative agreement terms and conditions and other programmatic requirements.

- Helping to ensure compliance with Davis Bacon, Build America Buy America (BABA), and Bipartisan Infrastructure Law (BIL) requirements.
- Ensuring BRLF funds are used only for authorized and eligible activities.
- Attending meetings with BRLF stakeholders and grant and loan recipients.

Most oversight will be administrative in nature while some may require site visits, such as auditing sites for Davis Bacon compliance or performing site inspections. DECD does not anticipate that the QEP will be responsible for the collection of any environmental samples.

Additional Tasks and Work Orders:

The selected Provider will be held to the cost bid and rates provided in its bid. Any additions or deletions to the above tasks that the Department determines are necessary will be made by the Department Project Manager in the form of written change orders. Adjustments to the bid amount due to change orders will typically be made on a time and materials basis, based on the contract rates supplied by the Provider in its initial response to the Department's Request for Proposals to be included on the Department's pre-qualified Provider list. RFP #201905093.

Bid Schedule:

1. **Questions** - Submit any questions on this RFB by email to Laura Sheehan (Laura.G.Sheehan@maine.gov) by 5:00 PM on September 25th, 2024. The Department anticipates providing answers to questions received on time by 5:00 PM on September 30th, 2024. The complete list of questions and answers will be sent to all Providers via email.
2. **Due Date** - Providers must submit electronic copies of their bids via email to Laura Sheehan (Laura.G.Sheehan@maine.gov) by 5:00 PM on October 11th, 2024.
3. **Interviews** – At its sole discretion and to assist with the selection process, DECD may elect to do interviews with one or more Providers that submit bids. DECD will determine whether such interviews are conducted in person or via videoconference.
4. **Bid Selection** - The Department anticipates awarding the RFB by October 25th, 2024. All Providers will be informed of the Department's selection via email.

Bid Requirements:

All bids must include the following:

1. **Bid Form** - Submittals must be completed using the attached Bid Submittal Summary Form for RFB #109. Providers must include any required attachments listed on the form. Any alteration to the form may be cause for the Department to reject the bid, at the Department's sole discretion.
2. **Methodology Response** – There is no set format for the methodology response, but the response should not exceed 15 pages. Providers should minimally demonstrate their qualifications and experience related to the required tasks and how they would

approach providing the requested services. The project team that will be providing services must be detailed and the role that each team member will serve in must be specified. Minimally the team must have a primary QEP who will be the main point of contact and who will perform and/or oversee the majority of the requested tasks. Provided they are sufficiently qualified, it is acceptable to have a different team member perform some amount of field work, such as Davis Bacon interviews, although the primary QEP could also perform such tasks.

3. Rate Sheet – A rate sheet must be provided. Ensure that the rates for project team members are specified. The rate sheet may include a clause for annual escalation of rates up to 4% per annum.
4. Cost Example – Provide a cost for 20 hours of work by the primary QEP and 5 hours of on-site inspection work. The 5 hours of on-site inspection work could be conducted by the primary QEP or by another qualified team member that is specified in the methodology submission. The calculation for the cost example must be consistent with the supplied rate sheet. For the purposes of this cost example do not include any travel time, per diem, supplies, etc. – it should just be based on supplied hourly billing rates.

Bid Evaluation:

Bids will be reviewed by the Department and will be scored based on a matrix of 25% cost and 75% evaluation of methodology. Providers must have a State-approved Pre-Qualified Environmental Consultants contract in place by the bid closing date.

The selected bidder will be held to their cost, schedule, and methodology.

The Department may contact Providers for clarification if questions regarding the Provider's ability to meet the requirements of the RFB arise during review. Providers will not be allowed to alter, change, or resubmit their bid. If it is determined that the bid does not meet the minimum requirements outlined in the RFB, the bid will not be evaluated, at the sole discretion of the Department.

Appeals:

When the Department uses the Provider's methodology as criteria in awarding site specific work, any Provider on the Provider prequalified list may appeal the Department's award 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. The appeal must be in writing and filed with the Director of the Bureau of General Services, 77 State House Station, Augusta, Maine, 04333-0077 within 15 calendar days of the Department sending an email announcing the RFB award to the official email address provided by the Provider. Additional information:

<https://www.maine.gov/dafs/bbm/procurementservices/Policies-Procedures>

Bid Submittal Summary Form: RFB #109
Department of Economic and Community Development Brownfields Revolving Loan Fund
Qualified Environmental Professional Services
Bid Due Date: October 11, 2024

Providers Name: _____

Contact Person Name: _____

Provider Address: _____

Phone Number: _____

Email Address: _____

Answer (Yes or No)	Question
	Will you be able to provide all resources to conduct all Tasks listed in the RFB Scope of Work, and are all the associated costs included in your cost bid, including, but not limited to, all subcontractor costs?
	Will you have a Pre-Qualified Environmental Consultants contract that has been approved by the Maine Department of Administrative and Financial Service's Division of Purchases in place by the bid closing date?
	Have you included all the required attachments listed below?

Required Attachments:

1. Methodology Response
2. Rate Sheet
3. Cost Example

Signature: _____ Date: _____

Printed Name & Title: _____