

STATE OF MAINE
Department of Environmental Protection
Division of Technical Services, BRWM



RFP#201609186

Pre-Qualified Vendor List for
Replacing Home Heating Oil Tanks

RFP Coordinator	<p><i>All communication regarding this RFP <u>must</u> be made through the RFP Coordinator identified below.</i></p> <p>Name: Peter Moulton Title: Environmental Engineer Contact Information: Peter.T.Moulton@maine.gov</p>
Submitted Questions Due	<p><i>All questions <u>must</u> be submitted to the RFP Coordinator identified above by:</i></p> <p>Date: Thursday, November 10, 2016, no later than 5:00 p.m., local time</p>
Proposal Submission	<p>Submission Deadline: Wednesday, November 23, 2016, no later than 2:00 p.m., local time</p> <p>Submission Address: Division of Purchases, Burton M. Cross Building, 111 Sewall Street - 4th Floor, Augusta, ME 04330</p>
Semi-Annual Enrollment	<p>Submission Deadline: First business day of September and March, no later than 2:00 p.m., local time</p> <p>Submission Address: Division of Purchases, Burton M. Cross Building, 111 Sewall Street - 4th Floor, Augusta, ME 04330</p>

TABLE OF CONTENTS

	Page
PUBLIC NOTICE	1
PART I INTRODUCTION	2
A. PURPOSE AND BACKGROUND	
B. GENERAL PROVISIONS	
C. ELIGIBILITY TO SUBMIT BIDS	
D. CONTRACT TERMS	
E. AWARDS AND MINI BID PROCESS	
PART II SCOPE OF SERVICES TO BE PROVIDED	5
PART III KEY RFP EVENTS	7
A. QUESTIONS	
B. SUBMITTING THE PROPOSAL	
PART IV PROPOSAL SUBMISSION REQUIREMENTS	8
A. PROPOSAL FORMAT	
B. PROPOSAL CONTENTS	
PART V PROPOSAL EVALUATION AND SELECTION	10
A. EVALUATION PROCESS – GENERAL INFORMATION	
B. SCORING WEIGHTS AND PROCESS	
C. SELECTION AND AWARD	
D. APPEAL OF CONTRACT AWARDS	
E. REMOVAL FROM PRE-QUALIFIED VENDOR LIST	
PART VI CONTRACT ADMINISTRATION AND CONDITIONS	12
A. CONTRACT DOCUMENT	
B. STANDARD STATE AGREEMENT PROVISIONS	
PART VII RFP APPENDICES AND RELATED DOCUMENTS	14
APPENDIX A – PROPOSAL COVER PAGE	
APPENDIX B – DEBARMENT, PERFORMANCE AND NON-COLLUSION CERTIFICATION	
APPENDIX C – QUALIFICATIONS AND EXPERIENCE FORM	
APPENDIX D – COST PROPOSAL FORM	
APPENDIX E – SERVICE AREA	

Public Notice

**State of Maine
Department of Environmental Protection
Public Notice for RFP#201609186
Pre-Qualified Vendor List for
Replacing Home Heating Oil Tanks**

The State of Maine Department of Environmental Protection invite interested Bidders to submit qualifications for replacing home heating oil tanks. The Department intends to establish a pre-qualified vendor list of contractors to provide these services, on an as-needed basis.

A copy of the RFP can be obtained by contacting the RFP Coordinator for this project: Peter Moulton, Environmental Engineer. The RFP Coordinator can be reached at the following e-mail address: Peter.T.Moulton@maine.gov . The RFP is also available for download from the website: <http://www.maine.gov/dep/rfp/> .

Proposals must be submitted to the State of Maine Division of Purchases, located at the Burton M. Cross Office Building, 111 Sewall Street - 4th Floor, Augusta, ME 04330. Proposals must be submitted by 2:00 pm, local time, on Wednesday, November 23, 2016, when they will be opened at the Division of Purchases' aforementioned address. Proposals not received at the Division of Purchases' aforementioned address by the aforementioned deadline will not be considered for contract award.

State of Maine - Department of Environmental Protection
RFP#201609186
Pre-Qualified Vendor List for
Replacing Home Heating Oil Tanks

PART I INTRODUCTION

A. Purpose and Background

The Department of Environmental Protection (Department) is seeking to establish a Pre-Qualified Vendor List for Replacing Home Heating Oil Tanks, 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 Bidder(s).

The Department will contract with Contractors to replace home heating oil tanks, as projects and funding become available. Such projects are those that do not meet State standards and pose a high risk of an oil spill. These substandard home heating oil tanks will typically be replaced by new home heating oil tanks or propane furnaces. This RFP will determine a list of pre-qualified companies capable of performing these tank replacements so that replacements can be performed quickly.

Due to state-wide need for the replacement of home heating oil tanks, qualified contractors from throughout the state are encouraged to apply.

Note that several heating contractors and companies are already on an existing list of pre-qualified heating contractors and have contracts that are good through the end of March 2017. Those contractors must submit proposals in response to this RFP if they wish to remain on the list past the end of March 2017.

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 Bidder 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. Bidders 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 agency information of previous contract history with the Bidder (if any). The Department also reserve the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities.
5. The proposal shall be signed by a person authorized to legally bind the Bidder 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 Bidder's proposals, 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>
8. The Department, at their sole discretion, reserve the right to recognize and waive minor informalities and irregularities found in proposals received in response to this RFP.
9. The State of Maine Division of Purchases 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.
10. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be Proposer's/Vendor's responsibility to determine the applicability and requirements of any such laws and to abide by them.

C. Eligibility to Submit Bids

Only private for-profit companies who have or who have a contract with a Master Oil Burner Technician that holds a current license issued by the State of Maine Fuel Board, are eligible to submit bids in response to this Request for Proposals. Bidders must provide a copy of the license with their proposal.

D. Contract Term

The Department anticipates creating a pre-qualified vendor list and entering into retainer contracts with multiple top scoring contractors as a result of this RFP process. Selection to be included on the pre-qualified vendor list is not a guarantee of work. Please note that the dates below are estimated and may be adjusted as necessary in order 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.

Contract Renewal: Following the initial term of the contract period, the Department may opt to renew the contract period for one renewal period of two years, subject to continued availability of funding and satisfactory performance.

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

Period	Start Date	End Date
Initial Period of Performance	December 14, 2016	September 30, 2018
Renewal Period #1	October 1, 2018	September 30, 2020

This RFP offers a semi-annual enrollment for new vendors to be included on the pre-qualified vendor list. Once selected, vendors do not need to reapply during a semi-annual enrollment. Proposals will be accepted from vendors not currently on the Pre-Qualified Vendor List by the first business day of September and March each year this RFP is active (see RFP Cover Page). Proposals submitted during a semi-annual enrollment will be evaluated and the vendors will be notified of the decision within 30 days.

E. Mini-Bid and Award Process

Bidders are encourage to submit a proposal for one or more service types described in Part II of this RFP.

Once the pre-qualified list is established, the typical process to select a contractor to replace an individual home heating oil tank (single family residence or other building) will be as follows:

1. The Department will determine that an oil tank is to be replaced at a given house and obtain permission from the homeowner to access the interior of the house. Note that access to the interior of the house is necessary even for tanks installed outside because the new supply line has to be run from the oil tank outside to the heating appliance inside the house.
2. The Department will notify all pre-qualified vendors within the service area when specific services are needed. Each vendor on the pre-qualified list for that service type will be given a description of the particular services needed and a time frame for which the services will need to be conducted. This request will be provided to vendors by email (fax and US Postal Service for those who do not have email) and asked to respond within a specific timeframe. Bidders who are able to meet the time frame and are interested in the project, shall submit a cost proposal for those services. The Department will then select one vendor based on the project-specific cost proposal submitted during the “mini-bid” process of those pre-qualified vendors who meet the specific service requirements.
3. The successful Contractor will be chosen based on lowest cost.

The Department reserve the right to select vendors from the pre-qualification list without using the mini-bid process for emergencies, if the need arises. Additionally, at the discretion of the State, large projects and/or projects with unique needs not covered within this RFP may be released and awarded through project specific RFPs. Vendors for those projects will not be selected from the pre-qualified list, but rather through a separate RFP process based on the specific needs/timelines of the project.

PART II SCOPE OF SERVICES TO BE PROVIDED

Contractors will replace home heating oil tanks as directed by the Department and in accordance with Department specifications for removals and installations of tanks on an as-needed basis. Services to be performed will usually be performed at a single family residence. Approved Contractors must be available to all Department programs. Contractors must supply the equipment and tools to perform the services.

A. Service Type

Bidders are encouraged to submit proposals to perform one or more service types listed below.

1. Steel Oil Tank Installations – Master Oil Burner Technician (REQUIRED)
2. Double Wall Oil Tank Installations – Master Oil Burner Technician; and Roth Training (OPTIONAL)
3. Propane Heating Installations – Master Oil Burner Technician; and Propane and Natural Gas Technician (OPTIONAL)
4. Heat Pump Installations – Master Oil Burner Technician; and Efficiency Maine Heat Pump Listing (OPTIONAL)

B. Regulations

1. In order to protect the ground waters of the State, the Department is authorized by **38 MRSA § 551 – 5 (N)** to disburse funds to replace aboveground oil storage tanks when necessary to abate an imminent threat.
2. All **aboveground heating oil supply tank installations** shall conform to the most current rules of the State of Maine Fuel Board, <http://www.maine.gov/sos/cec/rules/02/chaps02.htm#658> and the specifications applicable to each individual tank replacement and shall be installed under the supervision of a Master Oil Burner Technician.
3. All **propane heating appliance installations** shall conform to the most current rules of the State of Maine Fuel Board, <http://www.maine.gov/sos/cec/rules/02/chaps02.htm#658> and the specifications applicable to each individual tank replacement and shall be installed under the supervision of a Propane and Natural Gas Technician.
4. All **heat pump installations** shall conform to all federal, state, and local codes and the manufacturer's instructions.
5. Contractors selected for the Pre-Qualified Vendor List who wish to install heat pumps must be on Efficiency Maine's list of "**Qualified Partners**" in the field of "Heat Pumps and Cooling Solutions".

C. Training and Certification

1. If UL 2258 double wall tanks (in addition to double bottom steel tanks) are to be installed, then the Master Oil Burner Technician must have undergone the required training and received the proper certification to install Roth double wall home heating oil tanks manufactured by Roth Industries, Syracuse, NY. If able to provide this service, please provide a copy of the Roth training certificate with your submitted proposal.
2. If propane furnaces and propane heating appliances are to be installed, then the contractor must employ or have a contract with a Propane and Natural Gas Technician that holds a current

license issued by the State of Maine Fuel Board. If able to provide this service, please provide a copy of the license with your submitted proposal.

3. If heat pumps are to be installed, then the contractor must be on Efficiency Maine's list of "Qualified Partners" in the field of "Heat Pumps and Cooling Solutions". Note that this listing can be obtained later. The contractor need not be on the Efficiency Maine list at the time the proposal is submitted.

D. Geographical Service Area

Bidders shall submit their current service area by county or state-wide as described in Appendix E.

PART III KEY RFP EVENTS

A. Questions

1. General Instructions

- a. It is the responsibility of each Bidder to examine the entire RFP and to seek clarification, in writing, if the Bidder does not understand any information or instructions.
- b. Questions regarding the RFP 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 dates and times specified on the RFP cover page.
- c. Submitted Questions should include the RFP Number and Title in the subject line. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.
- d. Be sure to refer to the page number and paragraph within this RFP relevant to the question presented for clarification, if applicable.

2. **Summary of Questions and Answers:** Responses to all substantive and relevant questions will be compiled in writing and distributed to all registered, interested persons by e-mail no later than seven (7) calendar days prior to the proposal due date. Only those answers issued in writing by the RFP Coordinator will be considered binding. The Department reserves the right to answer or not answer any question received.

B. Submitting the Proposal

1. **Proposals Due:** Proposals must be received no later than 2:00 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 2:00 p.m. deadline will be **rejected** without exception.
2. **Mailing/Delivery Instructions:** The official delivery site is the State of Maine, Division of Purchases (Please refer to the RFP cover page for submission address).
 - a. Only proposals received at the official delivery site prior to the stated deadline will be considered. Bidders submitting proposals are responsible for allowing adequate time for delivery. Postmarks do not count and fax or electronic mail transmissions of proposals are not permitted. Any method of hardcopy delivery is acceptable, such as US Mail, in-person delivery by Bidder, or use of private courier services.
 - b. The Bidder must send its proposal submission in a sealed package and must include **an original signed copy and one electronic copy** of their complete proposal. The electronic copy of the proposal must be provided on USB flash drive with the complete narrative and attachments in MS Word format. Any attachments that cannot be submitted in MS Word format may be submitted as Adobe (.pdf) files.
 - c. Bidders' submission packages are to be clearly labeled and contain the following information:
 - Proposal submission address provided on the RFP cover page
 - The Bidder's full business name and address
 - The RFP Number and Title

PART IV PROPOSAL SUBMISSION REQUIREMENTS

This section contains instructions for Bidders to use in preparing their proposals in response to this RFP. The Bidder's proposal for pre-qualification 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 evaluation team for this RFP have 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 Bidder's experience and ability to perform the requirements specified throughout this document.

A. Proposal Format

1. For clarity, proposals should be typed or printed. Proposals should be single-spaced with 1" margins on white 8 ½" x 11" paper using a font no smaller than 12 point Times New Roman or similar.
2. All pages 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 Bidder's name should appear on every page, including attachments. Each attachment must reference the section or subsection number to which it corresponds.
3. Bidders are asked to be brief and to respond to each question and instruction listed in the "Proposal Submission Requirements" section of this RFP. Number each response in the proposal to correspond to the relevant question or instruction of the RFP. The proposal should be limited to a maximum total of 15 pages. Pages provided beyond the aforementioned maximum amount will not be considered during evaluation.
4. The following proposal elements, if applicable/requested, will not be counted as part of the maximum total number of pages allowed for the proposal: proposal cover page, table of contents, financial forms, any required attachments, appendices, or forms provided by the Department in the RFP, organizational charts, job descriptions, or staff résumés.
5. The Bidder may not provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Any material exceeding the proposal limit will not be considered in rating the proposals and will not be returned. Bidders shall not include brochures or other promotional material with their proposals. Additional materials will not be considered part of the proposal and will not be evaluated.
6. Include any forms provided in the application 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.
7. It is the responsibility of the Bidder 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 evaluation review team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.
8. Bidders should complete and submit the proposal cover page provided in **Appendix A** of this RFP and provide it with the Bidder's proposal. The cover page must be the first page of the proposal package. It is important that the cover page show the specific information requested, including Bidder 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 Bidder.
9. Bidders should 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 Bidder's proposal, at the discretion of the Department.

B. Proposal Contents

Information related to each of the Sections below must be submitted with the Bidder's proposal for pre-qualification evaluation.

Section I Organization Qualifications and Experience

1. Overview of the Organization

Bidders are to complete **Appendix C** (Qualifications and Experience Form) by providing answers for each service type area their company is submitting a proposal for in this RFP.

2. Attachments Related to Qualifications

Liability insurance is required. Coverage limits are to be a minimum of \$500,000 per occurrence, \$1,000,000 aggregate. Attach 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 a contract.

Section II Cost Proposal

1. General Instructions

- a. Bidders must follow the instructions in **Appendix D** (Cost Proposal Form) and provide the requested hourly rate information associated with accomplishing the specific tasks described in Part II.A. 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.
- b. The cost proposal shall include the costs necessary for the Bidder to fully comply with the contract terms and conditions and RFP requirements.
- c. 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.

PART V PROPOSAL EVALUATION AND SELECTION

Evaluation of the submitted proposals for pre-qualification shall be accomplished as follows:

A. 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 cost 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 contracts are awarded to the Bidder(s) whose proposal best satisfies the criteria of the RFP at a reasonable/competitive cost.
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, 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, Bidders should submit proposals that present their costs and other requested information as clearly and completely as possible.

B. Scoring Process and Weights

1. **Scoring Weights:** All scores will be based on a 100 point scale.

Rated Contractors: The score for rated consultants will measure the degree to which each proposal meets the following criteria.

Section I. Organization Qualifications and Experience (75 points)

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

Section II. Cost Proposal (25 points)

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

2. **Scoring Process:** The review team will use a consensus approach to evaluate and score the bids. Members of the review team will not score the proposals individually but instead will arrive at a consensus as to assignment of points for each of those sections. The selection of being placed on the pre-qualified vendor list will be made to the Bidder(s) receiving the highest number of evaluation points, based upon the proposal's satisfaction of the criteria established in the RFP. Inclusion on any list does not mean an individual company will necessarily win any project-specific mini-bid award.
3. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in this RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded 25 points. Proposals with higher bids values will be awarded proportionately fewer points calculated in comparison with the lowest bid.

The scoring formula is:

(Lowest submitted Master Oil Burner Technician hourly rate proposal / Master Oil Burner Technician hourly rate of proposal being scored) x 25 = pro-rated score

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

4. **Negotiations:** The Department reserves the right to negotiate with the successful Bidder(s) to finalize a contract(s) 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 respondent 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(s), the Department may withdraw their award and negotiate with the next-highest ranked Bidder(s), and so on, until an acceptable contract(s) has been finalized. Alternatively, the Department may cancel the RFP, at their sole discretion.

C. Selection and Award

1. The final decision regarding the award of a contract(s) will be made by representatives of the Department and subject to approval by the State Purchases 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 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.
5. Selection to be included on the pre-qualified vendor list is not a guarantee of work.

D. Appeal of Contract Awards

Any person aggrieved by an 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.

The appeal procedures mentioned above are available upon the original determination of selection to the pre-qualified vendor list, but not during subsequent competitive procedures ("mini-bids") involving only the pre-qualified vendor list participants.

E. Removal from Pre-Qualified Vendors List

The Department may remove a pre-qualified vendor from the pre-qualified list at any time, upon giving 30 days' written notice to the pre-qualified vendor, if the Department determines that during the pre-qualification term:

- a. The pre-qualified vendor failed or refused to perform its contractual obligations,
- b. The pre-qualified vendor's performance was unsatisfactory including, but not limited to, the quality and timeliness of services provided, or
- c. The vendor no longer has the ability to perform the services specified in this RFP.

PART VI CONTRACT ADMINISTRATION AND CONDITIONS

A. Contract Document

1. The successful Bidder(s) 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 G: Identification of Country in Which Contracted Work Will Be Performed

The complete set of standard BP54 contract documents may be found on the Division of Purchases 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 Purchases 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(s), subject to the review and approval of the State Purchases Review Committee. Contracts are not considered fully executed and valid until approved by the State Purchases 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): <http://www.maine.gov/purchases/policies/110.shtml>

This provision means that a contract(s) 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 Purchases 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 may need to be adjusted, if necessary, to comply with mandated requirements.
4. In providing services and performing under a contract, the successful Bidder shall act independently and not as an agent of the State of Maine.

B. 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(s) and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the successful Bidder(s) in the finalization of a contract.
- b. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder(s), the Department may withdraw its award and negotiate with the next-highest ranked Bidder(s), and so on, until an acceptable contract(s) has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

2. Payments and Other Provisions

The State anticipates paying the Contractor on the basis of net 30 days 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 – Qualification and Experience Form
- 4.** Appendix D – Cost Proposal Form
- 5.** Appendix E – Service Area

APPENDIX A

**State of Maine
 Department of Environmental Protection
 PROPOSAL COVER PAGE
 RFP#201609186
Pre-Qualified Vendor List for
Replacing Home Heating Oil Tanks**

Bidder's Organization Name:		
Chief Executive - Name/Title:		
Tel:	Fax:	E-mail:
Headquarters Street Address:		
Headquarters City/State/Zip:		
<i>(provide information requested below if different from above)</i>		
Lead Point of Contact for Proposal - Name/Title:		
Tel:	Fax:	E-mail:
Street Address:		
City/State/Zip:		

Master Oil Burner Technician Hourly Rate	\$	
<i>The proposed cost listed above is for reference purposes only, not evaluation purposes. In the event that the cost noted above does not match the Bidder's detailed cost proposal documents, then the information on the cost proposal documents will take precedence.</i>		

- 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 undersigned is authorized to enter into 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#201609186
Pre-Qualified Vendor List for
Replacing Home Heating Oil Tanks**

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:

- a. 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.*
- b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:
 - i. Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.*
 - ii. Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;*
 - iii. 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*
 - iv. 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.**
- c. 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 Bidder's proposal, at the discretion of the Department.

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

State of Maine
Department of Environmental Protection
QUALIFICATIONS & EXPERIENCE FORM
RFP#201609186
Pre-Qualified Vendor List for
Replacing Home Heating Oil Tanks

Bidder's Organization Name:	
------------------------------------	--

Eligibility - This company employs or has a sub-contract with a Master Oil Burner Technician that holds a current license issued by the State of Maine Fuel Board (formerly the Oil and Solid Fuel Board). **A photocopy of the license is attached.** *NOTE: This is a pass/fail requirement only and not part of the scoring process.*

PART II – ORGANIZATION QUALIFICATIONS AND EXPERIENCE

Service Type: Check one or more of the service types you would like to offer.

- Steel Oil Tanks Double Wall
(Roth) Oil Tanks Propane Heat Pumps

STEEL OIL TANKS (REQUIRED)

1. Number of home heating oil tank replacements or furnace (or boiler) replacements or heating system replacements performed for Community Action Programs (CAPs) in the years 2014 through September of 2016. _____
2. Number of home heating oil tank replacements performed for the Department of Environmental Protection (DEP) in the years 2014 through September of 2016. _____
3. Number of home heating oil tank replacements performed in the years 2014 through September of 2016. If over 40, then enter the number "40". _____

DOUBLE WALL (ROTH) OIL TANKS (OPTIONAL)

Do you wish to perform the installation of UL2258 double wall tanks? If so then complete Items 4 and 5.

- 4. The same Master Oil Burner Technician has been trained in the installation of Roth double wall home heating oil tanks. **A photocopy of the Roth training certificate is attached.**

 - 5. Number of double wall (Roth) home heating oil tank replacements or furnace (or boiler) replacements or heating system replacements performed in the years 2014 through September of 2016.
-

PROPANE (OPTIONAL)

Do you wish to perform the installation of propane heating appliances? If so then complete Items 6 and 7.

- 6. This company employs or has a sub-contract with a Propane and Natural Gas Technician that holds a current license issued by the State of Maine Fuel Board. **A photocopy of the license is attached.**

 - 7. Number of propane furnace installations performed in the years 2014 through September of 016. If over 40, then enter the number “40”.
-

HEAT PUMPS (OPTIONAL)

Do you wish to perform the installation of heat pumps? If so then complete Items 8 and 9.

- 8. Company must be on Efficiency Maine’s list of “Qualified Partners” in the field of “Heat Pumps and Cooling Solutions”. How will your company meet the requirement of being on the Qualified Partner list?

Circle one: Currently or Future

- 9. Number of heat pump installations performed in the years 2014 through September of 2016. If over 40, then enter the number “40”.
-

APPENDIX D

State of Maine
Department of Environmental Protection
COST PROPOSAL FORM
RFP#201609186
Pre-Qualified Vendor List for
Replacing Home Heating Oil Tanks

Bidder's Organization Name: _____

Instructions: Bidders should complete the following cost proposal for one or more Service Types listed below providing an hourly rate for the initial contract period. The hourly rate is required for the Master Oil Burner Technician for steel oil tanks only all other service types are optional. This rate will remain in effect until 30 September 2018 for work performed under contracts resulting from this RFP. The Master Oil Burner Technician hourly rate for the Steel Oil Tanks will be the amount used in the scoring cost formula described in Part V of this RFP.

Service Types:

STEEL OIL TANKS

Master Oil Burner Technician \$ _____/hour (REQUIRED)

PROPANE

Propone and Natural Gas Technician \$ _____/hour (OPTIONAL)

HEAT PUMPS

Heat Pump Technician \$ _____/hour (OPTIONAL)

What is your service area?

State of Maine Department of Environmental Protection

RFP #201609186

**PRE-QUALIFIED VENDOR LIST FOR
REPLACING HOME HEATING OIL TANKS**

Vendors will be notified via email of upcoming bids for home heating oil tank replacements. Should you wish to minimize email messages concerning bids outside of your service area, you may do so by indicating which counties you are interested in working.

Check off the counties in which you are interested in providing home heating oil tank replacements. We will send bid requests to you only when the home heating oil tank to be replaced is within one of the counties you select.

If you wish to receive all bid requests, regardless of location, then check the box named "Statewide".

Note that you are under no obligation to respond to bid requests.

Note. Do not leave this form blank. You must either choose to receive all bid requests (by checking the box named "Statewide") or choose at least one county.

This form must be completed and included in your proposal. Send only one form. No copies needed.

Statewide Send me all bid requests, regardless of location.

Send me the bid requests only for those sites occurring in the counties checked off below.

- | | | |
|---------------------------------------|--------------------------------------|-------------------------------------|
| <input type="checkbox"/> Androscoggin | <input type="checkbox"/> Knox | <input type="checkbox"/> Somerset |
| <input type="checkbox"/> Aroostook | <input type="checkbox"/> Lincoln | <input type="checkbox"/> Waldo |
| <input type="checkbox"/> Cumberland | <input type="checkbox"/> Oxford | <input type="checkbox"/> Washington |
| <input type="checkbox"/> Franklin | <input type="checkbox"/> Penobscot | <input type="checkbox"/> York |
| <input type="checkbox"/> Hancock | <input type="checkbox"/> Piscataquis | |
| <input type="checkbox"/> Kennebec | <input type="checkbox"/> Sagadahoc | |

Vendor Name

Print name of company or contractor

Email address

Print email address. Multiple names and addresses are allowed.