

**MAINE DEPARTMENT OF TRANSPORTATION**

**REQUEST FOR PROPOSALS**

**for**

**Intercity Bus Services for the Caribou to Bangor route**

**RFP# T202307001**

The State of Maine Department of Transportation (“MaineDOT”) is seeking proposals from qualified Contractors to provide **Intercity Bus Services** for the **Caribou to Bangor** route.

FTA Section 5311(f) provides information related to Intercity Bus Services, which can be found on the Federal Transit Administration’s website - (<https://www.transit.dot.gov/>) and [Section VIII of FTA Circular 9040.1G](https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/formula-grants-rural-areas-program-guidance-and-application). This RFP is not being issued for Social Services Transportation and, as such, no contract will be awarded for those services.

1. **RFP COORDINATOR**

All contact with the MaineDOT regarding this RFP must be made through the RFP Coordinator listed below, via e-mail. This contact includes, but is not limited to, questions, requests for clarification and/or additional information, and proposal submissions.

**RFP Coordinator:** Cindy Stafford

**Title:**  Contract/Grant Specialist

**Office:** Contract Procurement Office

**E-mail:** [Cindy.Stafford@maine.gov](mailto:Cindy.Stafford@maine.gov)

1. **PRE-BID CONFERENCE**

A joint Pre-Bid Conference and Consultation Meeting for RFP# 202305001, Intercity Bus Services, was held on June 12th, 2023. Information presented and discussed at that joint meeting also pertains to this RFP. The PowerPoint presentation, and a recording of that meeting, are both available on MaineDOT RFPs webpage for interested parties to review: [MaineDOT RFPs](http://www.maine.gov/mdot/cpo/rfps/). MaineDOT highly recommends parties review these prior to submitting their proposal.

1. **REQUESTS FOR CLARIFICATION / RFP AMENDMENTS**

During the proposal preparation period, all questions, requests for clarification, and requests for additional information, must be submitted, via e-mail, to the RFP Coordinator listed in Section 1 above. Such correspondence must reference the RFP Number and Name in the e-mail subject line.

The deadline to submit questions and/or requests is:

**Date Due:** August 11th, 2023.

**Local Time:** 5:00 p.m. ET

Requests received after this deadline will not be accepted. Responses to questions and clarification requests will be placed on the MaineDOT website: [MaineDOT RFPs](http://www.maine.gov/mdot/cpo/rfps/), no later than close of business on August 18th, 2023. MaineDOT reserves the right not to answer any question received.

It is the potential Bidder’s responsibility to check the referenced RFP website for the posting of (1) responses to received questions/requests and (2) any amendments that may be issued in regard to this RFP.

1. **PROPOSAL DUE DATE**

Proposals must be received by the RFP Coordinator, via e-mail, no later than:

**Date Due:** August 25th, 2023

**Local Time:** 2:00 p.m. ET

E-mails containing original proposal submissions, or any additional or revised proposal documents, received after the due date and time will be rejected without exception.

For ease of identification, proposal submissions must include the RFP Number and Name in the e-mail subject line.

1. **DISADVANTAGED BUSINESS ENTERPRISES**
2. **General Considerations**

Because of the prospective use of federal funds, Maine DOT’s Civil Rights Office may, at their option, participate in the committee meetings to advise and monitor Title VI (CRA 1964) and *Disadvantaged Business Enterprise* (DBE) concerns. Selection criteria, including an *Affirmative Action Questionnaire*, schedule of meetings, reports, etc. will be made available to the affirmative action officer who will evaluate the adequacy of the *affirmative action*.

1. **Certified DBE**

MaineDOT Certified Disadvantaged Business Enterprise (DBE) Contractors are encouraged to apply as the prime Contractor for this work. Non-DBE Contractors shall ensure that DBEs have the maximum opportunity to participate in the performance of any project contract in accordance with MaineDOT current requirements for DBE utilization when utilizing Subcontractors. Contractors certified by another state’s transportation agency must be certified by MaineDOT.

Current requirements may be found at the MaineDOT website, “Certified Disadvantaged and Women Business Enterprise” directory: [MaineDOT Disadvantaged Business Enterprises](http://www.maine.gov/mdot/civilrights/dbe/), or by contacting:

**Maine Department of Transportation**

**ATTN: Mary Bryant, Civil Rights Unit**

**Civil Rights Office**

**16 State House Station**

**Augusta, ME 04333**

**Tel#: 207-624-3066**

**Fax#: 207-624-3021**

1. **PROJECT BACKGOUND and SCOPE OF WORK**
2. **Purpose and Description of Project**

Every five (5) years, MaineDOT seeks qualified contractors of Intercity Bus Routes that meet FTA guidelines for intercity service. Funding from the Federal Transit Administration (FTA) for Intercity Bus Service is administered by MaineDOT and will be utilized to fund the contract resulting from this RFP. FTA defines Intercity Bus Service as regularly scheduled service for the general public that:

1. Operates with limited stops over fixed routes connecting two or more urban areas not in close proximity to one another; and
2. Has the capacity for transporting baggage carried by passengers; and
3. Makes meaningful connections with scheduled Intercity Bus Service to more distant points if such service is available.

Commuter service is excluded from the definition. Intercity Bus Service is not limited by the size of the vehicle used or by the identity of the carrier.

National objectives of Intercity Bus Service are to:

1. Support the connection between rural areas and the regional/national system of intercity bus service; and
2. Support services that meet the intercity needs of residents in rural areas; and
3. Support the infrastructure of the intercity bus network through planning, marketing assistance, and capital investments in facilities.

MaineDOT's objectives are to:

1. Continue funding for eligible, existing, intercity bus routes; and
2. Provide funding for additional bus routes as funding allows and as circumstances warrant.
3. **Scope of Work**

MaineDOT is requesting proposals from qualified Contractors who wish to operate the intercity route from **Bangor to Caribou** utilizing FTA funding. No other source of funding will be provided. Routes should function as critical connections between rural and urban parts of Maine and to points beyond. Consistent with the State Management Plan (found here: <https://www.maine.gov/mdot/transit/publications/>), the priority is to preserve and maintain established transportation operations, facilities, and equipment.

1. **PROPOSAL SUBMISSION PACKAGE**

Proposals submitted in response to this RFP must be formatted to provide all information requested below, in the order presented, in one PDF file:

1. **Appendix A - Bidder’s General Information Form**

Bidders are to complete all sections in **Appendix A**, which has been included with this RFP.

1. [**Disadvantaged Business Enterprise (DBE) Form**](http://www.maine.gov/tools/whatsnew/attach.php?id=428566&an=1)*(click link to access document)*

The DBE Form must reflect all Subconsultants used on a specified project; identifying whether they are DBE, WBE or Non-DBE and the percentage of the Subconsultant work that is proposed of the total contract value. The DBE Form shall also reflect whether the Prime Consultant themselves are a DBE.

1. **Insurance Certificates**

Insurance Certificates (Acord Form) must accompany your Cost Proposal. Insurance shall not reference a specific project. Minimum coverages include, but depending on the project may not be limited to, the following:

* 1. Professional Liability or Negligent Acts, Errors and Omissions Policy - $1,000,000 per claim and annual aggregate
  2. Commercial General Liability, listing MaineDOT as additional insured - $1,000,000 per occurrence and $2,000,000 in the aggregate.
  3. Automobile Liability - $1,000,000 per occurrence
  4. Worker’s Compensation – in accordance with the laws of the State of Maine.
  5. Excess/Umbrella Liability (if applicable)

1. **Bidder’s Experience & Qualifications**

Bidders are to address each of the following in their proposal:

1. Describe your company’s Technical and Financial capacity to establish and maintain Intercity Bus Services, including number of years providing similar services and any training and/or certifications obtained related to providing these services; and
2. Describe your company’s ability to provide service to the general public, including older adults and disabled persons; and
3. Describe your company’s ability to comply with federal and state regulations related to civil rights, equal employment opportunities, disadvantaged business enterprise, safety, FTA Drug & Alcohol testing, labor protection provisions, and other areas related to transportation grant funding; and meet all Americans with Disability Act (ADA) requirements.
4. Attach a minimum of two (2) letters of local support for the proposed project. Letters of Support may be generated by other transit providers, MPOs, universities, counties, or cities.
5. **Bidder’s Proposed Route(s)**

Bidders are to include in their proposal submission a detailed narrative outlining their proposed Caribou to Bangor route. The narrative must describe:

1. Description of the proposed route and how often it will be run; and
2. The towns served and stops along the route; and
3. The reason for the route; and
4. The projected ridership along the route; and
5. Connections to other local bus routes, intercity bus systems, train stations, ferry services, etc.; and
6. How the proposed route meets the National objectives for Intercity Bus Services stated above.

Bidders are also to include information on their:

1. Ability to maintain records of trips, passengers, expenses, and revenues; and
2. Ability to generate periodic reports on the number and type of trips, passengers, expenses, and revenue.
3. **Appendix B – Bidder’s Cost Proposal**

Project Costs Per Mile: Services will be paid on a cost per mile basis. Bidders must include the actual cost of their proposed Caribou to Bangor route by providing the total miles and the actual cost per mile. Bidders are to complete Appendix B to provide this information. MaineDOT will reimburse 50% of the cost per mile under this contract, or 100% if an interlining agreement is in place.

1. **PROPOSAL RATING AND SELECTION PROCESS**
   1. Proposals will be reviewed and rated using the Scoring Criteria and Weights stated below in Section 9 of this RFP.
   2. MaineDOT, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in Proposals received in response to this RFP.
   3. Contract history with the State of Maine will be considered in the rating process, even if not provided by the Bidder. MaineDOT reserves the right to disqualify from consideration any Bidder with "Unsatisfactory" or “Below Standard” performance ratings on previous work for MaineDOT, if MaineDOT determines that such disqualification is in the best interest of the State.
2. **PROPOSAL SCORING CRITERIA AND WEIGHTS**

Proposals will be scored on the criteria below, using a 100-point scale. The point values/weights of each criterion are also provided below.

1. **Experience & Qualifications (25 Points)**: Refer to Section 7, D above.
2. **Proposed Route(s) (50 Points****)**: Refer to Section 7. E above.
3. **Cost (25 Points)**: Refer to Section 7. F above.

Cost scores will be based on the cost per mile rate being proposed using the following formula:

(Lowest Cost Per Mile / Cost Per Mile being scored) x 25 = pro-rated score

1. **AWARD**

It is the intent of Maine DOT to make one award for the Caribou to Bangor route to the Highest Qualified Bidder. The “Highest Qualified Bidder” is defined as the Bidder whose Proposal received the highest score based on the evaluation criteria stated above. MaineDOT will enter negotiations with the Highest Qualified Bidder to finalize the contract for this project. If MaineDOT is unable to negotiate a satisfactory contract with that Bidder, MaineDOT reserves the right to formally terminate negotiations and to enter negotiations with the next most qualified Bidder, and so forth, until a contract is finalized. MaineDOT also reserves the right to withdraw any award and not enter into a contract if it is determined to be in the State’s best interest.

1. **CONTRACT TERM, TYPE, AND PAYMENT METHOD**

The initial contract term shall be for a period of one year commencing upon January 1, 2024. Annual contract extensions, upon approval by both parties, will be allowed up to a maximum of four years. All extensions will expire December 31, 2028.

The contract type utilized for this Project shall be a Multi-Pin Transit Cooperative Agreement, and the method of payment shall be Commercial Rate.

1. **TERMS & CONDITIONS / FUNDING SOURCE / GENERAL INFORMATION**
2. The contract(s) resulting from this RFP will be governed by the most recent version of MaineDOT’s Consultant General Conditions. A copy of the current Consultant General Conditions is available at the MaineDOT website: <https://www.maine.gov/mdot/cpo/docs/general/2020/ConsultantGeneralConditions4212020.pdf>
3. This project will be funded with FTA funds. The Federal Contracting Provisions for this funding source are also contained in the above referenced Consultant General Conditions.
4. This RFP does not commit MaineDOT to pay any costs incurred in submitting your Proposal, making studies or designs for preparing the Proposal or in procuring or sub-contracting for services or supplies related to the Proposal.
5. The Negotiated Rate Per Mile agreed upon by the Parties will be fixed for the first year of the Agreement period. This rate may be renegotiated annually upon receipt by MaineDOT of acceptable supporting documentation. Annual rate increases may not exceed 3% of the current rate.
6. **NON-APPROPRIATION**

Consultant acknowledges that MaineDOT is a governmental entity and that the validity of any contract entered into by the MaineDOT is dependent upon the availability of public funding under the authority of its statutory mandate. Although the issuance of this RFP manifests MaineDOT's intent to honor its terms and to seek funding to fulfill any contractual obligations arising in connection with it, by law, any such obligations are subject to available budgetary appropriations by the Maine Legislature and, therefore, this agreement does not create any obligation on behalf of MaineDOT in excess of such appropriations. Therefore, notwithstanding any other provision of this RFP and any contract resulting therefrom, if at any time the Maine Legislature fails to appropriate, de-appropriates or appropriates insufficient funds to meet the obligations established pursuant thereto, or if for any reason MaineDOT is denied legal authority by the Maine Legislature or the Court system to expend funds appropriated for such purposes, then MaineDOT may terminate any contractual relationship established as a result of this solicitation and shall not be penalized for doing so.

1. **FREEDOM OF ACCESS ACT - CONFIDENTIALITY**

Interested parties are advised that under Maine’s Freedom of Access Act, Title 1 M.R.S.A. Chapter 13 §402 (3), et seq., “Public Records” (as that term is defined in: [Title 1, § 402: Definitions](https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.mainelegislature.org%2Flegis%2Fstatutes%2F1%2Ftitle1sec402.html&data=04%7C01%7CJames.Billings%40maine.gov%7Cda38a9a0124d4f27321808d99dfef728%7C413fa8ab207d4b629bcdea1a8f2f864e%7C0%7C0%7C637714540648523740%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=j%2BttXi6qsUfLjACFksULe81z%2BNww9OXMi%2BcuaVLqKgc%3D&reserved=0)) are available for public inspection and copying once an award notification has been made.

As a general matter, information submitted in response to this RFP will be considered to be “Public Records”, available for public inspection and copying, once an award notification has been made. If, however, a Bidder believes that parts of its Proposal fall within one or more of the exceptions to the definition of “Public Records” set forth in Title 1 M.R.S.A. Chapter 13 §402(3), that Bidder may submit those parts of its Proposal, with each page marked “Confidential”. Bidders must include a non-confidential statement of the basis for Bidder’s claim that those parts of its Proposal fall within one or more of the exceptions to the definition of “Public records”. Designating part of a Proposal “Confidential” does not, by itself, ensure that those parts of the Proposal will remain confidential. Proposals with no sections designated as “Confidential” will be considered public information after award notification and will be released as such when requested.

In the event MaineDOT receives a request to inspect or copy those parts of the Bidder’s Proposal marked confidential, MaineDOT will notify the Bidder that such a request has been received. If MaineDOT agrees that the documents so identified fall within one of the exceptions to the definition of “Public Records”, MaineDOT will notify the party requesting disclosure (“Requestor”) that the documents will be withheld.  If MaineDOT determines that the confidential designation submitted is overbroad, MaineDOT will contact the Bidder in an effort to narrow the confidential designation. If the Bidder disagrees with MaineDOT’s determination of what constitutes public records available for disclosure, the Bidder can seek a protective order or other legal remedy under Title 1, § 409. If the Requestor files a legal action to gain access to confidential information withheld under this section, then the Bidder must retain counsel and file for a protective order.  Bidder’s failure to join the action and secure a protective order shall constitute a waiver of its claim that the information is confidential.  MaineDOT will comply with the order issued by the reviewing court.

**RFP: T202307001**

**Appendix A - Proposer’s General Information Form**

1. **CONTACT INFORMATION**

|  |  |  |  |
| --- | --- | --- | --- |
| 1. Firm’s Name: | 1. Firm’s Contact (First & Last Name):   Mr.  Ms. | | 1. Firm’s Contact Title: |
| 1. Firm’s Contact E-mail Address: | 1. Firm’s Contact Office Phone No.: | | 1. Firm’s Contact Cell Phone No.: |
| 1. Firm’s Web Address: | | 1. Firm’s President/Managing Officer: | |

1. **CORPORATE INFORMATION**

|  |  |  |
| --- | --- | --- |
| **A.** Type (select one):  Individual  Partnership  Minority Owned  Woman Owned  Small Business  S Corporation  Limited Liability Company  Corporation (State of origin):  Other: | **B.** Firm’s Unique Entity ID (UEI) Number: | **E.** Does your firm have an Audited Overhead Report dated within the last two (2) years?  Yes  No  What is the date of your most recent Audited Overhead Report? |
| **C.** Firm’s Federal EIN:  ­­­­ |
| **D.** Firm’s State of Maine Vendor/Customer No.:  VC  OR  VS |
| **F.** Is your firm a Disadvantaged Business Enterprise (DBE)?  Yes  No  If yes, are you certified as such by MaineDOT’s Civil Rights Office?  Yes  No | | |
| **G.** Is your firm’s Corporate Headquarters located in Maine?  Yes  No    Firm’s Corporate Headquarters physical address: | | |

1. **AFFIRMATIVE ACTION**

|  |  |  |
| --- | --- | --- |
| 1. Does your firm have a current Equal Employment Opportunity policy and plan?  Yes  No | 1. Is your firm aware of Equal Employment Opportunity (EEO) responsibilities?   Yes  No | 1. Is your firm aware of MaineDOT’s goals for utilization of DBE firms?   Yes  No |

**RFP: T202307001**

**Appendix A - Proposer’s General Information Form**

1. **CERTIFICATION**

|  |  |  |
| --- | --- | --- |
| By submittal of this form, I certify to the best of my knowledge and belief that the firm, its principals, and all subcontractors (if any) named in the Technical Proposal Submission Package:   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: 3. Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or contract. 4. Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification and/or destruction of records, making false statements, or receiving stolen property. 5. 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 (2) of this certification. 6. Have not, within a three-year period preceding this proposal, had one or more Federal, State, or Local government transactions terminated for cause or default.   Check here to agree to the above statement.  By submittal of this form, I certify that I have thoroughly read and understand all information contained in the RFP, including all amendments, addendums, and responses to submitted questions.  Check here to agree to the above statement.  By submittal of this form, I certify that I have reviewed the firm’s Technical Proposal Submission Package to ensure all required documents are included.  Check here to agree to agree with the above statement.  By submittal of this form, I certify that all information contained in the firm’s Technical Proposal Submission Package are true and accurate and that I am an Authorized Signatory Officer of the Firm.  Check here to agree to the above statement.  By submittal of this form, I certify that the typed name (a) is intended to have the same force as a manual signature, (b) is unique to myself, (c) is capable of verification, (d) is under the sole control of myself, (e) is linked to data in such a manner that it is invalidated if the data are changed. (10 M.R.S.A. §9501 et seq.)  Check here to agree to the above statement. | | |
| 1. Typed Name of Submitting Authorized Officer: | 1. Title: | 1. Date: |

**APPENDIX B**

Cost Proposal Form RFP # T202307001

**Intercity Bus Program for the Caribou to Bangor route**

Section 5311(f) Cost Proposal

Services to Begin January 1, 2024

**Bidder’s Name:**

**Route:**

This RFP is for the continuation of one intercity route in Maine, Caribou to Bangor. In order for our Transit Programs to be in compliance with the State Management Plan, MaineDOT’s first priority is to preserve and maintain established transportation operations, facilities and equipment.

**Required Information:**

Towns served:

Stop locations:

Number of trips per day/week:

Complete the table below:

|  |  |  |  |
| --- | --- | --- | --- |
| **Day of Week** | **Estimated Total Miles Per Day** | **Estimated Total Hours Per Day** | **Estimated Total Passengers Per Day** |
| Monday |  |  |  |
| Tuesday |  |  |  |
| Wednesday |  |  |  |
| Thursday |  |  |  |
| Friday |  |  |  |
| Saturday |  |  |  |
| Sunday |  |  |  |
| **Weekly Total Miles** |  |  |  |
| **Annual Total Miles** |  | N/A | N/A |

**Project Costs**: In the table below, provide detailed annual operating cost information generating a cost per mile for the Caribou to Bangor route:

|  |  |
| --- | --- |
| **Project Detail** | **Annual Cost** |
| Employee Salaries |  |
| Administration |  |
| Fuel |  |
| Insurance |  |
| Accounting/Legal |  |
| Rent/Utilities |  |
| Maintenance |  |
| Repairs/Parts |  |
| Taxes/Registration |  |
| Other (describe) |  |
| Other (describe) |  |
| Profit (if allowed) |  |
| **Total** |  |
| Less Fare Box Revenue |  |
| Revised Total |  |
| Total Annual Miles Traveled |  |
| **Cost per Mile** (Divide miles by Revised Total) |  |
| Total Estimated Annual Route Miles  (From section 1.c. above) |  |
| **Total Cost To Operate Route**  (Cost Per Mile x Total Est. Annual Route Miles) |  |

**NOTE:** Federal funding for intercity bus service is allowed at 50% of actual net costs. The contract awarded under this RFP will be paid at the 50% allowable rate, or 100% if an interlining agreement is in place. All sources of matching funds must be allowable and listed below.

Explain your company’s commitment to continue this project beyond the availability of the requested Federal grant resources.