**STATE OF MAINE**

**Governor’s Energy Office**



**RFP# 202206093**

**Distributed Generation Analysis, Program Design, and Stakeholder Engagement**

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| **RFP Coordinator** | *All communication regarding the RFP must be made through the RFP Coordinator identified below*.  **Name:** Ethan Tremblay **Title:** Energy Policy Analyst  **Contact Information:** [ethan.tremblay@maine.gov](mailto:ethan.tremblay@maine.gov) |
| **Submitted Questions Due** | *All questions must be received by the RFP Coordinator identified above by:*  **Date:** July 5, 2022, no later than 11:59 p.m., local time |
| **Proposal Submission** | *Proposals must be received by the Division of Procurement Services by:*  **Submission Deadline:** July 15, 2022, no later than 11:59 p.m., local time.  *Proposals must be submitted electronically to the following address:*  **Electronic (e-mail) Submission Address:** [Proposals@maine.gov](mailto:Proposals@maine.gov?subject=RFP%23%20202206093%20Proposal%20Submission%20–%20[Bidder’s%20Name]) |

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PUBLIC NOTICE

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**State of Maine**

**Governor’s Energy Office**

**RFP# 202206093**

**Distributed Generation Analysis, Program Design, and Stakeholder Engagement**

The State of Maine is seeking proposals for analysis, program design, and stakeholder engagement services to support the work of the Distributed Generation Stakeholder Group convened pursuant to P.L. 2021 Chapter 390.

A copy of the RFP, as well as the Question & Answer Summary and all amendments related to the RFP, can be obtained at: <https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps>

Proposals must be submitted to the State of Maine Division of Procurement Services, via e-mail, at: [Proposals@maine.gov](mailto:Proposals@maine.gov). Proposal submissions must be received no later than 11:59 p.m., local time, on July 15, 2022. Proposals will be opened the following business day. Proposals not submitted to the Division of Procurement Services’ aforementioned e-mail address by the aforementioned deadline will not be considered for contract award.

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**RFP TERMS/ACRONYMS with DEFINITIONS**

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

|  |  |
| --- | --- |
| **Term/Acronym** | **Definition** |
| **DG** | Distributed Generation |
| **FOAA** | Freedom of Access Act |
| **GEO or Department** | Governor’s Energy Office |
| **LD** | Legislative Document |
| **MW** | Megawatt |
| **RFP** | Request for Proposal |
| **State** | State of Maine |

**State of Maine – Governor’s Energy Office**

**RFP# 202206093**

**Distributed Generation Analysis, Program Design, and Stakeholder Engagement**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Governor’s Energy Office (GEO or Department) is seeking Distributed Generation (DG) analysis, program design, and stakeholder engagement as defined in this Request for Proposal (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the awarded Bidder will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Bidder.

Pursuant to [Public Law 2021 Chapter 390 (LD 936, An Act To Amend State Laws Relating to Net Energy Billing and the Procurement of Distributed Generation)](https://legislature.maine.gov/ros/LawsOfMaine/breeze/Law/getDocById/?docId=82612) as enacted by the Legislature, the GEO convened the Distributed Generation Stakeholder Group to issue recommendations that support continued development of renewable energy in Maine through cost-effective distributed generation.

[LD 936](http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0692&item=6&snum=130) established a goal of 750 megawatts (MW) of distributed generation under the net energy billing programs established in 35-A MRS [§3209-A](https://legislature.maine.gov/legis/statutes/35-A/title35-Asec3209-A.html) and [§3209-B](https://legislature.maine.gov/legis/statutes/35-A/title35-Asec3209-B.html). The bill also set a limit on distributed generation resources between 2 and 5 MW eligible for enrollment in net energy billing and concludes the program for these resources on December 31, 2024.

Per LD 936, the charge of this stakeholder group is to "consider various distributed generation project programs [a “successor program”] to be implemented between 2024 and 2028 and the need for improved grid planning.” The DG Stakeholder Group produced an [interim report](https://www.maine.gov/energy/sites/maine.gov.energy/files/inline-files/Interim%20Report%20of%20the%20Distributed%20Generation%20Stakeholder%20Group_Dec%2031%202021.pdf) in December 2021 establishing initial areas of consensus and describing a framework and intended design process for a successor program. The areas of consensus included:

1. Distributed generation resources will play an important role in the state’s achievement of greenhouse gas reduction requirements, renewable energy requirements, and goals for continued growth of the clean energy sector.
2. Distributed generation resources have the potential to produce benefits to the electric system, as well as to the state, through avoided costs as well as resilience, environmental, public health, and economic benefits. The extent to which these benefits should be incorporated as objectives of a successor program requires additional analysis and discussion.
3. Any program to promote distributed generation resources should be designed in a manner that optimizes net benefits and ratepayer cost-effectiveness and considers resources developed through existing net energy billing programs – as well as considers input from a broad range of stakeholders, and specifically accounts for barriers faced by low- and moderate-income, fixed-income, and historically marginalized communities.
4. The Stakeholder Group intends to continue working in 2022 to refine the approach for optimizing cost-effectiveness and the manner by which a successor program should pursue these objectives.

The purpose of this project is to, in consultation with the GEO and the DG Stakeholder Group and as described in the interim report:

1. Provide technical analysis in fulfillment of the requirements of LD 936 section 4 as specified in this RFP;
2. Provide technical and program design support for the development of the successor program; and
3. Facilitate stakeholder engagement to obtain and incorporate public input.
4. **General Provisions**
   1. From the time the RFP is issued until award notification is made, all contact with the State regarding the RFP must be made through the RFP Coordinator. No other person/ State employee is empowered to make binding statements regarding the RFP. Violation of this provision may lead to disqualification from the bidding process, at the State’s discretion.
   2. Issuance of the RFP does not commit the Department to issue an award or to pay expenses incurred by a Bidder in the preparation of a response to the RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
   3. All proposals must adhere to the instructions and format requirements outlined in the RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Proposals are to follow the format and respond to all questions and instructions specified below in the “Proposal Submission Requirements” section of the RFP.
   4. Bidders will take careful note that in evaluating a proposal submitted in response to the RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Bidder (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities.
   5. The proposal must be signed by a person authorized to legally bind the Bidder and must contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 180 days from the date and time of the bid opening.
   6. The RFP and the awarded Bidder’s proposal, including all appendices or attachments, will be the basis for the final contract, as determined by the Department.
   7. Following announcement of an award decision, all submissions in response to this RFP will be public records, available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) ([1 M.R.S. § 401](http://www.mainelegislature.org/legis/statutes/1/title1sec401.html) et seq.).
   8. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to the RFP.
   9. All applicable laws, whether or not herein contained, are included by this reference. It is the Bidder’s responsibility to determine the applicability and requirements of any such laws and to abide by them.
5. **Contract Term**

The Department is seeking a cost-efficient proposal to provide services, as defined in the RFP, for the anticipated contract period defined in the table below. Please note, the dates below are estimated and may be adjusted, as necessary, in order to comply with all procedural requirements associated with the RFP and the contracting process. The actual contract start date will be established by a completed and approved contract.

Contract Renewal: Following the initial term of the contract, the Department may opt to renew the contract for up to two renewal periods, as shown in the table below, and subject to continued availability of funding and satisfactory performance.

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

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Initial Period of Performance | August 5, 2022 | March 31, 2023 |
| Renewal Period #1 | April 1, 2023 | March 31, 2024 |
| Renewal Period #2 | April 1, 2025 | December 31, 2025 |

1. **Number of Awards**

The Department anticipates making one (1) award but reserves the right to make multiple awards if that is in the best interest of the State as a result of the RFP process.

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

1. **Task 1 – Distributed Generation cost-effectiveness test development**

The purpose of this task is to develop a jurisdiction-specific cost-effectiveness test to be applied in Maine to determine the program-level cost-effectiveness of distributed generation and energy storage deployment.

* 1. The cost-effectiveness test should be developed based on established best practices (e.g. the [National Standard Practice Manual for Benefit-Cost Analysis of Distributed Energy Resources](https://www.nationalenergyscreeningproject.org/wp-content/uploads/2020/08/NSPM-DERs_08-24-2020.pdf)).
     1. The contractor will be responsible for developing proposed elements of the cost-effectiveness test, including applicable definitions, methodology, and data collection methods.
  2. The cost-effectiveness test should be developed with consideration given to existing relevant comparable tests accepted in Maine and other jurisdictions where applicable.
     1. The contractor will be responsible for summarizing and citing such relevant comparable tests.
  3. The cost-effectiveness test should be designed in such a manner as to produce an optimal volume (e.g. MW or MWh) of distributed generation, including distributed generation paired with energy storage, assumed to be achieved through the implementation of one or more distributed generation programs.
  4. The cost-effectiveness test should consider applicable state policy objectives including the state’s emissions reduction requirements, renewable portfolio standard, and the role of distributed generation in supporting their achievement.
  5. In developing the cost-effectiveness test, the awarded Bidder should provide an estimate of the revenue requirement needed for distributed generation projects of various sizes and configurations, such as rooftop vs. ground-mounted and brownfield vs. greenfield.
  6. The cost-effectiveness test will be developed in an iterative process in consultation with the GEO and the DG Stakeholder Group and will be subject to public review and comment in draft form prior to final submission to the GEO and DG Stakeholder Group.
     1. The contractor will be responsible for proposing a process to achieve this requirement that is comprehensive and equitable.
  7. The deliverables for this task should be:
     1. A report summarizing the cost-effectiveness test, specifying:
        1. All applicable inputs including how they should be derived,
        2. How the test is designed to be administered, and
        3. The process through which it was developed.
     2. A spreadsheet or comparable calculation tool designed to transparently implement the test, including any necessary data or inputs.
     3. A slide deck summarizing the content of the report.
     4. The report will be published in draft form for public comment.
        1. The final version should incorporate a summary of comments received and any changes incorporated as a result.

1. **Task 2 – Successor program proposal development**

The purpose of this task is to develop a proposal for a successor program design that satisfies the requirements of LD 936, including achieving a cost-effective program target (e.g. MW or MWh) as determined through application of the cost-effectiveness test developed in Task 1 as well as requirements listed below.

* 1. The successor program design should be informed by a review of applicable program designs implemented or considered in other jurisdictions.
     1. The contractor will present this overview to the GEO and DG Stakeholder Group for review.
  2. The successor program design should account for reasonable assumptions about the amount of distributed generation developed through the existing net energy billing programs.
  3. The successor program design should also consider an alternative program target equivalent to 7% of total load as determined by GEO and the DG Stakeholder Group.
  4. The successor program design should include identification of mechanisms that prioritize distributed generation sited to achieve objectives including, but not limited to:
     1. Limit impacts by being located on previously developed or impacted land, including:
        1. Areas covered by impervious surfaces,
        2. Reclaimed gravel pits,
        3. Capped landfills or
        4. Brownfield sites as defined by the Department of Environmental Protection;
     2. Serve load within a low-income to moderate-income community;
     3. Directly serve customer load; or
     4. Optimize grid performance or serve a non-wires alternative function.
  5. The successor program design should include specific consideration of equitable outcomes, developed in consultation with stakeholders.
  6. The successor program design should be developed with public input, including input obtained through stakeholder listening sessions as detailed in the DG Stakeholder Group interim report.
     1. Bidders should provide detail in their proposals regarding how they would administer and utilize information from these listening sessions as required by Task 5 below.
  7. The deliverable for this task should be a report summarizing:
     1. The alternative program designs considered
     2. The program design(s) recommended,
     3. The process through which such a design was selected, and
     4. Any necessary enabling changes in legislation or regulation to implement the successor program.

The report will be published in draft form for public comment.

* + - 1. The final version should incorporate a summary of comments received and any changes incorporated as a result.
      2. A slide deck summarizing the report will also be required.

1. **Task 3 – Net energy billing program evaluation**

The purpose of this task is to determine the benefits and impacts, including net ratepayer impacts, of the net energy billing programs.

* 1. The evaluation of the net energy billing programs should be conducted with a methodology consistent with the cost-effectiveness test developed in Task 1.
  2. The evaluation should specifically identify and quantify on-bill benefits and costs associated with the net energy billing programs and should account for the influence of load growth trends on any benefits and costs.
  3. The evaluation should identify a method or methods to balance the impact of net energy billing with load growth to mitigate potential electricity rate impacts.
  4. The deliverable for this task should be a report summarizing the methods and findings of the evaluation. A draft of the report will be provided prior to the final.

1. **Task 4 – Strategies to maximize the value of distributed generation**

The purpose of this task is to identify and recommend methods and strategies to maximize the value of distributed generation, including based on best practices from other jurisdictions.

* 1. Strategies should include, but not be limited to:
     1. Potential updates to the finance enabling policies in the [Maine Distributed Solar Valuation Study](https://www.maine.gov/tools/whatsnew/attach.php?id=639056&an=1) prepared for the Public Utilities Commission by Clean Power Research, including the costs and benefits of on-bill and off-bill financing.
     2. Consideration of the feasibility of implementing innovations to increase the net ratepayer value of distributed generation, including, but not limited to, time differentiated rates and 2-way energy flows.
     3. Consideration of the use of declining net energy billing arrangement bill credit rates, including the use of reduced bill credit rates.
     4. Consideration of the feasibility of standardizing the classification of distributed generation as load reducers, regardless of whether the bill credit is in the form of kilowatt-hour credits or monetary credits.
  2. The deliverable for this task should be a report summarizing the strategies and recommendations for implementation, if any.
     1. A slide deck summarizing the report will also be required.

1. **Task 5 – Stakeholder engagement and facilitation**

The purpose of this task is to implement a stakeholder and public engagement process to obtain input on materials prepared through Tasks 1-4 consistent with the requirements of LD 936 and as outlined in the DG Stakeholder Group interim report.

* 1. Engagement with the DG Stakeholder Group should occur through the group’s regular monthly meetings between July and December 2022. Additional meetings may be scheduled as needed with appropriate notice.
     1. The awarded Bidder will prepare meeting agendas and materials, including making materials available in advance, in coordination with GEO staff.
     2. The awarded Bidder will engage directly with the stakeholder group members and the public through these meetings.
  2. Engagement with additional stakeholders and members of the public through targeted listening sessions as described in the interim report.
     1. The awarded Bidder will prepare listening session agendas and materials, including making materials available in advance, in coordination with GEO staff.
     2. The awarded Bidder will engage directly with the stakeholder group members and the public through these sessions.
  3. Deliverables should be prepared in order to achieve the following milestones:

1. **Deliverable Due Dates**
   1. Draft reports prepared for Task 1 and Task 2 must be presented at a DG Stakeholder Group meeting, then posted publicly for a minimum of 30 days for public comment.
   2. Final deliverables for all tasks must be complete by December 15, 2022.

**PART III KEY RFP EVENTS**

1. **Questions**
   1. **General Instructions:** It is the responsibility of all Bidders and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.
      1. Bidders and other interested parties must use **Appendix E** – Submitted Questions Form – for submission of questions. The form is to be submitted as a WORD document.
      2. The Submitted Questions Form must be submitted, by e-mail, and received by the RFP Coordinator, identified on the cover page of the RFP, as soon as possible but no later than the date and time specified on the RFP cover page.
      3. 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: [Division of Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). It is the responsibility of all interested parties to go to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.
2. **Amendments**

All amendments released in regard to the RFP will also be posted on the following website: [Division of Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). It is the responsibility of all interested parties to go to this website to obtain amendments. Only those amendments posted on this website are considered binding.

1. **Submitting the Proposal**
   1. **Proposals Due:** Proposals must be received no later than 11:59 p.m. local time, on the date listed on the cover page of the RFP. E-mails containing original proposal submissions, or any additional or revised proposal files, received after the 11:59 p.m. deadline will be rejected without exception.
   2. **Delivery Instructions:** E-mail proposal submissions are to be submitted to the State of Maine Division of Procurement Services at [Proposals@maine.gov](mailto:Proposals@maine.gov?subject=RFP%23%20202206093%20Proposal%20Submission%20–%20[Bidder’s%20Name]).
      1. Only proposal submissions received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
      2. E-mails containing links to file sharing sites or online file repositories will not be accepted as submissions. Only e-mail proposal submissions that have the actual requested files attached will be accepted.
      3. Encrypted e-mails received which require opening attachments and logging into a proprietary system will not be accepted as submissions. Please check with your organization’s Information Technology team to ensure that your security settings will not encrypt your proposal submission.
      4. File size limits are 25MB per e-mail. Bidders may submit files separately across multiple e-mails, as necessary, due to file size concerns. All e-mails and files must be received by the due date and time listed above.
      5. Bidders are to insert the following into the subject line of their e-mail proposal submission: **“RFP# 202206093 Proposal Submission – [Bidder’s Name]”**
      6. Bidder’s proposal submissions are to be broken down into multiple files, with each file named as it is titled in bold below, and include:

* **File 1 [Bidder’s Name] – Preliminary Information:**

*PDF format preferred*

**Appendix A** (Proposal Cover Page)

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

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

*PDF format preferred*

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

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

*PDF format preferred*

All required information and attachments stated in PART IV, Section III.

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

*Excel format preferred*

**Appendix D** (Cost Proposal Form) and all required information and attachments stated in PART IV, Section IV.

**PART IV PROPOSAL SUBMISSION REQUIREMENTS**

This section contains instructions for Bidders to use in preparing their proposals. The Department seeks detailed yet succinct responses that demonstrate the Bidder’s qualifications, experience, and ability to perform the requirements specified throughout the RFP.

The Bidder’s proposal must follow the outline used below, including the numbering, section, and sub-section headings. Failure to use the outline specified in PART IV, or failure to respond to all questions and instructions throughout the RFP, may result in the proposal being disqualified as non-responsive or receiving a reduced score. The Department, and its evaluation team, has sole discretion to determine whether a variance from the RFP specifications will result either in disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in the RFP will, at best, be considered minimally responsive.

Bidders are not to provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Additional materials not requested will not be considered part of the proposal and will not be evaluated. Include any forms provided in the submission package or reproduce those forms as closely as possible. All information must be presented in the same order and format as described in the RFP.

**Proposal Format and Contents**

**Section I Preliminary Information** (File #1)

* 1. **Proposal Cover Page**

Bidders must complete **Appendix A** (Proposal Cover Page). It is critical that the cover page show the specific information requested, including Bidder address(es) and other details listed. The Proposal Cover Page must be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

* 1. **Debarment, Performance and Non-Collusion Certification**

Bidders must complete **Appendix B** (Debarment, Performance and Non-Collusion Certification Form). The Debarment, Performance and Non-Collusion Certification Form must be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

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

* 1. **Overview of the Organization**

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

* 1. **Subcontractors**

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

* 1. **Organizational Chart**

Bidders must provide an organizational chart including any subcontractors.  The organizational chart must include the project being proposed.  Each position must be identified by position title and corresponding to the personnel job descriptions.

* 1. **Litigation**

Bidders must attach a list of all current litigation in which the Bidder is named and a list of all closed cases that have closed within the past five (5) years in which the Bidder paid the claimant either as part of a settlement or by decree.  For each, list the entity bringing suit, the complaint, the accusation, amount, and outcome.

* 1. **Financial Viability**

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

* + 1. Balance Sheets
    2. Income (Profit/Loss) Statements
  1. **Certificate of Insurance**

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

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

* 1. **Services to be Provided**

Discuss the Scope of Services referenced above in Part II of the RFP and what the Bidder 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.

* 1. **Implementation - Work Plan**

Provide a realistic work plan for the implementation of the program through the first 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.

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

* 1. **General Instructions**
     1. Bidders must submit a cost proposal that covers the period starting August 1, 2022 and ending on March 31, 2023.
     2. The cost proposal must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.
     3. No costs related to the preparation of the proposal for the RFP, or to the negotiation of the contract with the Department, may be included in the proposal. Only costs to be incurred after the contract effective date that are specifically related to the implementation or operation of contracted services may be included.
  2. **Cost Proposal Form Instructions**

Bidders must fill out **Appendix D** (Cost Proposal Form), following the instructions detailed here and 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.

**PART V PROPOSAL EVALUATION AND SELECTION**

Evaluation of the submitted proposals will be accomplished as follows:

1. **Evaluation Process - General Information**
   1. An evaluation team, composed of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP.
   2. Officials responsible for making decisions on the award selection will ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Bidder whose proposal provides the best value to the State of Maine.
   3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders, if needed, to obtain clarification of information contained in the proposals received. The Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Changes to proposals, including updating or adding information, will not be permitted during any interview/presentation process and, therefore, Bidders must submit proposals that present their rates and other requested information as clearly and completely as possible.
2. **Scoring Weights and Process**
   1. **Scoring Weights:** 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. Preliminary Information (No Points – Eligibility Requirements)**

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

**Section II. Organization Qualifications and Experience (35 points)**

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

**Section III. Proposed Services (40 points)**

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

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

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

* 1. **Scoring Process:** For proposals that demonstrate meeting the eligibility requirements in Section I, the evaluation team will use a consensus approach to evaluate and score Sections II & III above. Members of the evaluation team will not score those sections individually but, instead, will arrive at a consensus as to assignment of points for each of those sections. Sections IV, the Cost Proposal, will be scored as described below.
  2. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in the RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded 25 points. Proposals with higher bids values will be awarded proportionately fewer points calculated in comparison with the lowest bid.

The scoring formula is:

(Lowest submitted cost proposal / Cost of proposal being scored) x 25 = pro-rated score

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

* 1. **Negotiations:** The Department reserves the right to negotiate with the awarded Bidder to finalize a contract. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department’s Request for Proposal to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with an awarded Bidder who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

1. **Selection and Award**
   1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.
   2. Notification of conditional award selection or non-selection will be made in writing by the Department.
   3. Issuance of the RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to the RFP, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
   4. The Department reserves the right to reject any and all proposals or to make multiple awards.
2. **Appeal of Contract Awards**

Any person aggrieved by the award decision that results from the RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in [5 M.R.S.A. § 1825-E](http://www.mainelegislature.org/legis/statutes/5/title5sec1825-E.html) and [18-554 Code of Maine Rules Chapter 120](https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-120).  The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of conditional contract award.

**PART VI CONTRACT ADMINISTRATION AND CONDITIONS**

1. **Contract Document**
   1. The awarded Bidder will be required to execute a State of Maine Service Contract with appropriate riders as determined by the issuing department.

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

* 1. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Procurement Review Committee. Contracts are not considered fully executed and valid until approved by the State Procurement Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to Bidders. (Referenced in the regulations of the Department of Administrative and Financial Services, [Chapter 110, § 3(B)(i)](https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-110).)

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

* 1. The State recognizes that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Procurement Review Committee. Any appeals to the Department’s award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date listed in the RFP may need to be adjusted, if necessary, to comply with mandated requirements.
  2. In providing services and performing under the contract, the awarded Bidder must act as an independent contractor and not as an agent of the State of Maine.

1. **Standard State Contract Provisions**
   1. Contract Administration

Following the award, a Contract Administrator from the Department will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the awarded Bidder in the finalization of the contract.

* 1. Payments and Other Provisions

The State anticipates paying the Contractor on the basis of net 60 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from the RFP.

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

**Appendix A** – Proposal Cover Page

**Appendix B** – Debarment, Performance, and Non-Collusion Certification

**Appendix C** – Qualifications and Experience Form

**Appendix D** – Cost Proposal Form

**Appendix E** – Submitted Question Form

**APPENDIX A**

**State of Maine**

**Governor’s Energy Office**

**PROPOSAL COVER PAGE**

**RFP# 202206093**

**Distributed Generation Analysis, Program Design, and Stakeholder Engagement**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Bidder’s Organization Name:** | |  | | | |
| **Chief Executive - Name/Title:** | |  | | | |
| **Tel:** |  | | | **E-mail:** |  |
| **Headquarters Street Address:** | |  | | | |
| **Headquarters City/State/Zip:** | |  | | | |
| ***(Provide information requested below if different from above)*** | | | | | |
| **Lead Point of Contact for Proposal - Name/Title:** | | |  | | |
| **Tel:** |  | | | **E-mail:** |  |
| **Headquarters Street Address:** | |  | | | |
| **Headquarters City/State/Zip:** | |  | | | |

* This proposal and the pricing structure contained herein will remain firm for a period of 180 days from the date and time of the bid opening.
* No personnel currently employed by the Department or any other State agency participated, either directly or indirectly, in any activities relating to the preparation of the Bidder’s proposal.
* No attempt has been made, or will be made, by the Bidder to induce any other person or firm to submit or not to submit a proposal.
* The above-named organization is the legal entity entering into the resulting contract with the Department if they are awarded the contract.
* The undersigned is authorized to enter contractual obligations on behalf of the above-named organization.

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

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

**APPENDIX B**

**State of Maine**

**Governor’s Energy Office**

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

**RFP# 202206093**

**Distributed Generation Analysis, Program Design, and Stakeholder Engagement**

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

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

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

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

**APPENDIX C**

**State of Maine**

**Governor’s Energy Office**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202206093**

**Distributed Generation Analysis, Program Design, and Stakeholder Engagement**

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

|  |
| --- |
| **Present a brief statement of qualifications. Describe the history of the Bidder’s organization, especially regarding skills pertinent to the specific work required by the RFP and any special or unique characteristics of the organization which would make it especially qualified to perform the required work activities. You may expand this form and use additional pages to provide this information.** |
|  |

**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 the 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 e-mail 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 Bidder.**  *If the Bidder has not provided similar services, note this, and describe experience with projects that highlight the Bidder’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**

**Governor’s Energy Office**

**COST PROPOSAL FORM**

**RFP# 202206093**

**Distributed Generation Analysis, Program Design, and Stakeholder Engagement**

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

Please provide a budget breakdown for the project, covering the initial period beginning August 1, 2023 and ending March 31, 2023. The budget breakdown is for informational purposes only but should be used to support the Proposed Cost figure, which will be used in the mathematical formula to determine the score of the Cost Proposal (as defined in Part V, B).

Please use the template below to complete the budget breakdown. Add rows under each Task as needed and define the Position titles. “Position A” and “Position B” are placeholders only and should be modified to fit the Bidder’s proposed positions to complete each task.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Estimated Hours** | **Cost per Hour** | **Total Cost** |
| **Task 1** |  |  |  |
| Position A |  |  |  |
| Position B |  |  |  |
| *(add rows as needed)* |  |  |  |
| **Total Cost - Task 1** | | |  |
| **Task 2** |  |  |  |
| Position A |  |  |  |
| Position B |  |  |  |
| *(add rows as needed)* |  |  |  |
| **Total Cost - Task 2** | | |  |
| **Task 3** |  |  |  |
| Position A |  |  |  |
| Position B |  |  |  |
| *(add rows as needed)* |  |  |  |
| **Total Cost - Task 3** | | |  |
| **Proposed Cost** | | |  |

**APPENDIX E**

**State of Maine**

**Governor’s Energy Office**

**SUBMITTED QUESTIONS FORM**

**RFP# 202206093**

**Distributed Generation Analysis, Program Design, and Stakeholder Engagement**

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

|  |  |
| --- | --- |
| **RFP Section & Page Number** | **Question** |
|  |  |
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*\* If a question is not related to any section of the RFP, state “N/A” under “RFP Section & Page Number”.*

*\*\* Add additional rows, if necessary.*