

STATE OF MAINE
Office of the Public Advocate



RFP# 201907120

Non-Wires Alternatives Coordinator

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| RFP Coordinator | <p><i>All communication regarding this RFP <u>must</u> be made through the RFP Coordinator identified below.</i></p> <p>Name: Eric Bryant Title: Senior Counsel Contact Information: eric.j.bryant@maine.gov</p> |
| Submitted Questions Due | <p><i>All questions <u>must</u> be received by the RFP Coordinator identified above by:</i></p> <p>First round date: September 6, 2019, no later than 4:00 p.m., EDT Second round date: September 16, 2019, no later than 4:00 p.m., EDT</p> |
| Proposal Submission | <p><i>Proposals <u>must</u> be received by the Division of Procurement Services by:</i></p> <p>Submission Deadline: September 26, 2019 no later than 11:59 p.m., EDT.</p> <p><i>Proposals <u>must</u> be submitted electronically to the following address:</i> Electronic (email) Submission Address: Proposals@maine.gov</p> |

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PUBLIC NOTICE

**State of Maine
Office of the Public Advocate
RFP# 201907120
Non-Wires Alternatives Coordinator**

The State of Maine is seeking proposals for providing Non-Wires alternatives expertise with respect to future and ongoing utility transmission or distribution investment proposals. Electrical engineering and grid planning services will be needed for these purposes pursuant to P.L. 2019, Ch. 298, a recently enacted statute.

A copy of the RFP, as well as the Question & Answer Summary and all amendments related to this RFP, can be obtained at the following website:

<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, to the following email address: Proposals@maine.gov. Proposal submissions must be received no later than 11:59 pm, local time, on September 26th, 2019. Proposals will be opened at the Burton M. Cross Office Building, 111 Sewall Street - 4th Floor, Augusta, Maine the following business day. Proposals not submitted to the Division of Procurement Services' aforementioned email address by the aforementioned deadline will not be considered for contract award.

RFP DEFINITIONS/ACRONYMS

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

| Term/Acronym | Definition |
|--------------------------|---|
| Department or OPA | Office of the Public Advocate |
| RFP | Request for Proposal |
| State | State of Maine |
| NWA | Non-Wires Alternative |
| MPUC | Maine Public Utilities Commission |
| CMP | Central Maine Power Company |
| CPCN | Certificate of Public Convenience and Necessity |
| ISO-NE | Independent System Operator of New England |

State of Maine – Office of the Public Advocate
RFP# 201907120
Non-Wires Alternatives Coordinator

PART I INTRODUCTION

A. Purpose and Background

The Office of the Public Advocate (OPA or Department) was created in statute to represent the interests of Maine utility ratepayers. The OPA is seeking proposals for a consultant to serve as the office's "Non-Wires Alternative Coordinator" as more closely described 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).

In recent years, the increasing costs of investments in electric plants have focused attention on the issue of Non-Wires Alternatives (NWAs). NWAs include both non-transmission alternatives and non-distribution alternatives. NWAs would include, but would not be limited to energy efficiency measures, distributed generation, and storage. This year, the Maine Legislature enacted and the Governor signed legislation that creates the function of Non-Wires Alternative Coordinator (NWA Coordinator), as a consultant, within the OPA. (P.L. 2019, ch. 298 – See **APPENDIX F**). The duties of the NWA Coordinator will be to review transmission and distribution investment proposals made by either of Maine's two investor-owned electric utilities (Central Maine Power and Emera Maine) for the purpose of developing NWAs that ensure reliable power but save money for ratepayers compared to the utility proposal. This will require working with the utilities, developing and advocating for NWAs both with the utility and before the Maine Public Utilities Commission ("MPUC"). This role will require both electrical engineering expertise and management of the activities, under the supervision of the OPA.

Central Maine Power Company's (CMP) service territory covers 11,000 square miles in central and southern Maine and is within the New England Independent System Operator (ISO-NE) control area. CMP currently serves approximately 624,000 customers across 346 communities and operates approximately 23,500 miles of distribution lines and 2,900 miles of transmission lines. Retail sales to residential and small non-residential accounts in calendar year 2018 were about 4.4 million megawatt-hours. CMP's retail sales to medium non-residential customers in calendar year 2018 were about 1.9 million megawatt-hours. CMP's retail sales to large non-residential customers in 2018 were about 2.6 million megawatt-hours.

CMP has informed us that it uses the following software in connection with grid planning: PSSE, TARA, Aspen and CYME Dist.

Emera Maine (Emera) consists of two service territories.

The Maine Public District service territory covers 3,600 square miles within the Canadian Maritimes control area and is connected to the ISO NE control area by transmission through New Brunswick, Canada. MPD currently serves about 36,700 residential and small non-residential accounts. Retail sales to these customers in calendar year 2017 were about

286,000 megawatt-hours. MPD's retail sales to medium non- residential customers in calendar year 2017 were about 81,000 megawatt-hours.

The Bangor Hydro District service territory covers 6,800 square miles in eastern and east-coastal Maine and is within the ISO-NE control area. BHD currently serves about 123,000 residential and small nonresidential accounts. Retail sales to these customers in calendar year 2017 were about 788,000 megawatt-hours. BHD's retail sales to medium non-residential customers in calendar year 2017 were about 437,000 megawatt-hours. BHD's retail sales to large non-residential customers in 2017 were about 193,000 megawatt-hours.

Emera Maine reports that it uses PSSE and CYME in grid planning.
See **APPENDIX F** for additional Information

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 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 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 proposal, including all appendices or attachments, shall be the basis for the final contract, as determined by the Department.
7. Following announcement of an award decision, all submissions in response to this RFP will be considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) (1 M.R.S. §§ 401 et seq.).
[State of Maine Freedom of Access Act](#)
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 this RFP.
9. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be the Bidder's responsibility to determine the applicability and requirements of any such laws and to abide by them.

C. Eligibility to Submit Bids

All interested parties are invited to submit bids in response to this Request for Proposals.

D. Contract Term

The Department is seeking a cost-efficient proposal to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. Please note that the dates below are estimated and may be adjusted, as necessary, 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, the Department may opt to renew the contract for two renewal periods, as shown in the table below, and subject to continued availability of funding and satisfactory performance.

The contract resulting from this RFP will be for a term of five years, defined as follows:

| Period | Start Date | End Date |
|-------------------------------|-------------------|-----------------|
| Initial Period of Performance | October 21, 2019 | June 30, 2022 |
| Renewal Period #1 | July 1, 2022 | June 30, 2023 |
| Renewal Period #2 | July 1, 2023 | June 30, 2024 |

E. Number of Awards

The Department anticipates making one award as a result of this RFP process.

PART II SCOPE OF SERVICES TO BE PROVIDED

The NWA Coordinator will be expected to perform the following tasks and fulfill the following functions:

- A. Develop and maintain familiarity with the regulation of investor-owned electric utilities including understanding how electric utilities in Maine are regulated, particularly with respect to safe and reliable delivery of power to customers and understanding MPUC precedent and electric transmission and distribution planning standards. In all cases, the NWA Coordinator will work with and under the direction of the OPA and will remain in regular contact with the OPA.
- B. Participate in transmission and distribution planning. The NWA Coordinator will be responsible for coordinating all NWA activity through the planning process. The NWA Coordinator will identify, advocate for and coordinate the development of NWAs. The NWA Coordinator will work together with the utilities, the Efficiency Maine Trust and other interested parties in this process.
- C. Participate in adjudicatory proceedings at the MPUC as an expert witness.
- D. Produce quarterly reports on the implementation of NWA projects in the State including project budgets, timelines, in-service dates, costs incurred, and savings achieved.
- E. Specific areas of NWA development:
 - a. The NWA Coordinator will develop cost-effective alternatives to transmission projects that require a certificate of public convenience and necessity (CPCN) to be issued by the MPUC. The NWA Coordinator will also participate in such adjudicatory proceedings at the PUC to potentially present and defend additional or modified NWAs or hybrid solutions as the transmission needs become clearer during the proceeding. In the past ten years, there have been ten such certificate of need proceedings.
 - b. The NWA Coordinator will evaluate annual utility filings of transmission line rebuilding or relocation projects that the utility intends to carry out during the next five years concerning transmission lines that will become or will remain at voltages of 69 kV or more. The NWA Coordinator will present and defend recommendations regarding more cost-effective NWA solutions to the proposed lines. Utility planning in this area has not heretofore been subject to NWA analysis or routine regulatory review.
 - c. The NWA Coordinator will review the distribution and small transmission (i.e. less than \$5 million estimated value) projects as they are described in annual planning studies to be conducted by the utilities. The NWA Coordinator will make recommendations regarding cost effective NWA solutions to the proposed projects. NWAs for distribution projects are limited to investments of \$500,000 or more except that the NWA Coordinator will have the discretion to investigate projects with smaller cost if there appears a reasonable likelihood that an NWA would be cost-effective. (The development of annual planning studies by the utilities is a new requirement under the same statute that created the NWA Coordinator.) Utility planning in the

area of distribution and small transmission has not heretofore been subject to NWA analysis or routine regulatory review.

F. Proposal Requirements: Organization, Experience, and Similar Projects

1. Present a brief statement of qualifications and short summary of relevant experience.
2. Briefly 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. Information under this section should include:
 - a. A description of the organization, management, and history of the Bidder, including a list or description of current clients of the firm. Include contact information of current clients who can be contacted as references;
 - b. A list and detailed description of all past and current business relationships or interactions with Efficiency Maine Trust and Maine Transmission & Distribution utilities and natural gas utilities or their parent companies;
 - c. A list and a detailed description of all past and current business relationships or interactions and/or ownership interest that may pose a potential conflict of interest;
 - d. A list and detailed description of all past and current activities involving solicitation for and aggregation of distributed energy resources and active demand response;
 - e. Identification of the person or persons who would perform the work described above, together with biographies of each person taking primary responsibility for the completion of one or more of the tasks, or one or more of the major issues;
 - f. A sample or samples of work products such as RFPs for distributed energy resources or other relevant project types that demonstrate the ability of the personnel who would be performing NTA Coordinator duties to carry out the required work successfully and effectively.

3. Description of Project Examples

Provide a description of three projects that occurred within the past five years where the firm performed similar or related work to that is described in this RFP. The projects described should reflect the experience and expertise needed in performing the functions described in the "Scope of Services to be Provided" portion of this RFP. Include a description of the extent of the involvement of the persons who will actually perform the work under the RFP. Also, for each of the three project examples provided, a contact person from the client organization involved should be listed, along with that person's telephone number. Finally, please include a list of clients, jurisdictions, and cases where such work has been recently performed. 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.

4. Form of Product/Proposed Services

Proposals should be for the provision of NTA Coordinator services in the service territories of CMP and Emera.

Discuss in detail the services to be provided and what the Bidder will offer. Give particular attention to describing the methods and resources you will use and how you and all individuals assigned with tasks under the proposal will accomplish the work involved. If the use of subcontractors is anticipated, the work to be performed by subcontractors must be identified.

PART III KEY RFP EVENTS

A. Questions

1. General Instructions

- a. 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.
- b. Bidders and other interested parties should use **Appendix E – Submitted Questions Form** – for submission of questions.
- c. The Submitted Questions Form 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.
- d. 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](#). 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. There will be two rounds of questions & answers.

B. Amendments

All amendments released in regard to this RFP will also be posted on the following website: [Division of Procurement Services RFP Page](#). 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.

C. 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 this RFP, at which point they will be opened. Proposals received after the 11:59 p.m. deadline will be rejected without exception.
2. **Delivery Instructions:** Email proposal submissions are to be submitted to the State of Maine Division of Procurement Services, via email, to the email address provided on the RFP Cover Page and shown here: Proposals@maine.gov.
 - a. Only proposals received by email will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
 - b. Bidders are to insert the following into the subject line of their email submission: **“RFP# 201907120 Proposal Submission”**
 - c. Bidder’s proposals are to be broken down into multiple files, with each file named as it is titled in bold below, and include:
 - **File #1: PDF format preferred**
Completed - Proposal Cover Page (**Appendix A**)
Debarment, Performance and Non-Collusion Certification (**Appendix B**)

- **File #2:** *PDF format preferred*
Organization Qualifications and Experience (**Appendix C** and all related/required attachments stated in PART IV, B., Section I.)
- **File #3:** *PDF format preferred*
Proposed Services (and all related/required attachments stated in PART IV, B., Section II.)
- **File #4:** *PDF format preferred*
Cost Proposal (**Appendix D** and all related/required attachments stated in PART IV, B., Section III.)

PART IV PROPOSAL SUBMISSION REQUIREMENTS

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

A. Proposal Format

1. All pages of a Bidder's proposal should be numbered consecutively beginning with number 1 on the first page of the narrative (this does not include the cover page or table of contents pages) through to the end, including all forms and attachments. For clarity, the Bidder's name should appear on every page, including Attachments. Each Attachment must reference the section or subsection number to which it corresponds.
2. The Bidder is asked to be brief and concise in responding to the RFP questions and instructions.
3. All electronic documents should be formatted for printing as formatting will not be adjusted prior to printing and reviewing these documents.
4. The Bidder may not provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Additional materials not requested will not be considered part of the proposal and will not be evaluated.
5. Include any forms provided in the submission package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in the RFP.
6. 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's evaluation review team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.
7. The Bidder should complete and submit the "Proposal Cover Page" provided in **Appendix A** of this RFP and provide it with the Bidder's proposal. 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.
8. The Bidder 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

Section I Organization Qualifications and Experience

1. Overview of the Organization

The Bidder should describe their qualifications and skills regarding the requested services in this RFP in a narrative format. The Bidder is also to 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.

2. Subcontractors

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

3. Organizational Chart

Provide an organizational chart of the bidder's organization. The organization chart must include the project being proposed. Each position must be identified by position title and corresponding to the personnel job descriptions and the Staffing Plan provided.

4. Litigation

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 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. If no litigation will be included, write "none" on submitted attachment.

5. Financial Viability

Provide the following information for each of the past three tax years:

- Balance Sheets
- Income (Profit/Loss) Statements

6. Licensure/Certification

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

7. Certificate of Insurance

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 II Proposed Services

1. Services to be Provided

Discuss the Scope of Services referenced above in Part II of this 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. For each of the categories of work identified in Section II(F), please provide an estimate of the total hours for which the bidder expects to bill for a twelve-month period. In the event that

this estimate differs for the second twelve-month period to be covered by the contract, please so state.

Section III Cost Proposal

1. General Instructions

- a. The Bidder must submit a cost proposal in the form of an hourly rate. This should be a blended hourly rate that incorporates the different hourly rates charged by individuals and any subcontractors the bidder expects to participate in the work. In preparing this rate, please identify the individuals who expect to be assigned to the work, that individual's hourly rate and the estimated percentage of time to be spent by each individual for a twelve-month period.
- 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.

2. Cost Proposal Form Instructions

The Bidder should 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 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.
2. Officials responsible for making decisions on the selection of a contractor shall ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the 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, 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 rates and other requested information as clearly and completely as possible.

B. Scoring Weights and Process

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

Section I. Organization Qualifications and Experience (50 points)

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

Section II. Proposed Services (25 points)

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

Section III. Cost Proposal (25 points)

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

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

$(\text{Lowest submitted cost proposal} / \text{Cost of proposal being scored}) \times (25) = \text{pro-rated score}$

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 to finalize a contract at the same rate or cost of service as presented in the selected proposal. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department's Request for Proposals to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with a selected 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.

C. Selection and Award

1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.
2. Notification of contractor selection or non-selection will be made in writing by the Department.
3. Issuance of this RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to this request, or to pay costs incurred in 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.

D. Appeal of Contract Awards

Any person aggrieved by the award decision that results from this RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 MRSA § 1825-E and 18-554 Code of Maine Rules, Chapter 120 (found here: [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 contract award.

PART VI CONTRACT ADMINISTRATION AND CONDITIONS

A. Contract Document

1. The successful 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](#)

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

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

3. The State recognizes that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Procurement Review Committee. Any appeals to the Department's award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date listed in this RFP may need to be adjusted, if necessary, to comply with mandated requirements.
4. In providing services and performing under the contract, the successful Bidder(s) shall act as an independent contractor 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 and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the successful Bidder in the finalization of the contract.
- b. 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.

2. Payments and Other Provisions

The State anticipates paying the Contractor on the basis of net 30 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting

documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from this RFP.

PART VII LIST OF RFP APPENDICES AND RELATED DOCUMENTS

1. **Appendix A** – Proposal Cover Page
2. **Appendix B** – Debarment, Performance and Non-Collusion Certification
3. **Appendix C** – Qualifications and Experience Form
4. **Appendix D** – Cost Proposal Form
5. **Appendix E** – Submitted Question Form
6. **Appendix F** – Supplemental Documents:
 - A copy of the new law (P.L. 2019, ch. 298).
 - Copy of the MPUC Decision regarding local planning. (Docket 2011-00494: under review).
 - Copy of CMP's most recent Chapter 330 filing.
 - Copy of Emera Maine's most recent Chapter 330 filing.

APPENDIX A

**State of Maine
Office of the Public Advocate
PROPOSAL COVER PAGE
RFP# 201907120
Non-Wires Alternatives Coordinator**

| | | | |
|--|--|----------------|--|
| Bidder's Organization Name: | | | |
| Chief Executive - Name/Title: | | | |
| Tel: | | 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: | | 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 agreement with the Department should they be awarded the contract.
- The undersigned is authorized to enter contractual obligations on behalf of the above-named organization.

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

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

APPENDIX B

**State of Maine
Office of the Public Advocate
DEBARMENT, PERFORMANCE and NON-COLLUSION CERTIFICATION
RFP# 201907120
Non-Wires Alternatives Coordinator**

| | |
|------------------------------------|--|
| 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:

- 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
Office of the Public Advocate
QUALIFICATIONS & EXPERIENCE FORM
RFP# 201907120
Non-Wires Alternatives Coordinator**

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

Present a brief statement of qualifications, including any applicable licensure and/or certification. 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 this RFP. For each of the project examples provided, a contact person from the client organization involved should be listed, along with that person’s telephone number and email address. Please note that contract history with the State of Maine, whether positive or negative, may be considered in rating proposals even if not provided by the 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
Office of the Public Advocate
COST PROPOSAL FORM
RFP# 201907120
Non-Wires Alternatives Coordinator**

| | |
|------------------------------------|--|
| Bidder's Organization Name: | |
| Proposed Hourly Cost: | |

Please provide the following information and show how the above Proposed Hourly Cost was calculated:

- 1. The names of the individuals expected to work under the contract, their respective hourly rate, and the percentage of time the individual is expected, for a twelve-month period, to work under the contract**
- 2. The names of any subcontractor expected to work under the contract, their respective hourly rate, and the percentage of time the subcontractor is expected, for a twelve-month period, to work under the contract**
- 3. The formula used to convert the information in 1 and 2 above to the Proposed Hourly Cost.**

APPENDIX F

**State of Maine
Office of the Public Advocate
SUPPLEMENTAL DOCUMENTS
RFP# 201907120
Non-Wires Alternatives Coordinator**



NWAC law - ch.
298.pdf

A copy of the new law (P.L. 2019, ch. 298).



RFP2019-NWA
Coordinator_Attach

Copy of the MPUC Decision regarding local planning. (Docket 2011-00494: under review)



RFP2019-NWA
Coordinator_Attach

Copy of CMP's most recent Chapter 330 filing.



RFP2019-NWA
Coordinator_Attach

Copy of Emera Maine's most recent Chapter 330 filing.