

# Request for Quotations #202306121

## State Facility Electricity Supply

**TO:** Interested Electricity Suppliers  
**FROM:** Michelle Fournier, Procurement Planning Manager, Division of Procurement Services  
**DATE:** Tuesday, June 20, 2023

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The State of Maine (State) is seeking price quotations from electric power suppliers to provide a competitive energy supply rate for all State owned or leased facility accounts. The State's facilities consume approximately 63,247,567 kWh per year, as further detailed on the attached spreadsheets (Attachment 1).

### **Eligibility to Submit Quotations**

Any electricity supplier or aggregator on the State of Maine Public Utilities Commission list of suppliers posted here: (<https://www.maine.gov/mpuc/regulated-utilities/electricity/maine-retail-electricity-suppliers/all-suppliers>)

### **Term and Requirements**

- The State is seeking fixed all-inclusive price quotations for the period starting on the December 2023 meter read dates, but reserves the right to accept other pricing structures. We are asking vendors to price different options for the state to determine which option is the most advantageous to the State of Maine.
- Through this RFQ process the State intends to make a 12, 24, 36, or 48-month award but reserves the right to request and choose a different term.
- The State currently has a supply contract through December 2023 meter read dates, for Versant and Central Maine Power accounts listed in Attachment 1.
- This bid is for retail, full requirements service for the State of Maine facilities listed in this RFQ. This service will include all obligations and charges that would be assessed to the load serving entity for the applicable load, including all losses, Locational Marginal Pricing (energy, loss and congestion components), all costs and obligations that arise from nodal settlements for load, all capacity, renewable portfolio standard, fuel security, ancillary services and other products and charges for the load. This also includes any new or redefined products or charges required to supply the electricity supply requirements of the State facilities included in this bid at all times during the term of service in a manner that complies with all applicable rules and requirements.
- No Capacity true ups would apply to the resulting contract if a fixed all-inclusive bid is awarded.
- The State requires that billing for electricity supply will be contained on the local distribution company billing, not separate billing from the successful supplier.
- The State requires a 5% add/delete provision to be reflected in pricing and the supply agreement.



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- The State requires at least a 25% usage bandwidth, however, 100% or unlimited usage bandwidth is the preferred option.
- A Letter of Authorization for requesting detailed information from the Local Distribution Companies regarding the State's accounts is included as Attachment 3.
- The State will negotiate equitable terms with bidders before asking for final quotes. Terms that the State expects to negotiate into bidder's standard agreements are included in Attachment 2.

**Questions**

Questions must be submitted via email to Michelle Fournier at [michelle.fournier@maine.gov](mailto:michelle.fournier@maine.gov). The deadline for questions is **Friday, June 23, 2023 at 5:00 pm ET**. A summary of questions and answers will be supplied by **Tuesday, June 27, 2023**. The State reserves the right to answer questions outside of this period, at its sole discretion.

**Quotations, Evaluation, and Award**

- **An indicative price quotation (Attachment 1) and an MS Word version of the bidder's standard electricity supply master sales agreements and transaction confirmations** are due to the Division of Purchases by **11:00am eastern time on Thursday, June 29, 2023**. Quotations will only be accepted by email, submitted to [michelle.fournier@maine.gov](mailto:michelle.fournier@maine.gov).
- **Interested bidders should submit their electricity supply master and sales agreements in advance of this deadline so that the State can review the terms and conditions in a timely fashion. Bidders who have previously negotiated terms and conditions with the State should send the previously negotiated agreement, highlighting any changes.**
- The State intends to establish a limited pool of bidders based on indicative price and negotiate terms and conditions with those bidders. The State, however, reserves the right to immediately make an award based on the indicative price quotations. All bid proposals must remain effective and binding until at least 5:00 p.m. Eastern Time of the day of the bid.
- Assuming that an immediate award is not made, final price quotations will be requested from a short list of bidders on a date to be selected by the State. All bid proposals must remain effective and binding until at least 5:00 p.m. Eastern Prevailing Time of the day of the bid.
- All Bidders will be notified of the award decision via email.



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**General Provisions**

1. Issuance of this RFQ does not commit the State to issue an award or to pay expenses incurred by a Bidder in the preparation of a response to this RFQ.
2. All responses to this RFQ should adhere to the instructions and format requirements outlined in this RFQ and all written supplements and amendments as issued by the Division. Responses are to follow the format and respond to all questions and instructions specified above.
3. The RFQ and the selected Bidder's quotation, including all appendices or attachments, may be incorporated in the final contract.
4. Following announcement of an award decision, all submissions in response to this RFQ 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.).
5. The Division, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in quotations received in response to this RFQ.
6. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be Bidder's responsibility to determine the applicability and requirements of any such laws and to abide by them.
7. Any person aggrieved by the award decision that results from the RFQ 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](#) and [18-554 Code of Maine Rules Chapter 120](#). The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of conditional contract award.

Thank you for your interest in doing business with the State of Maine.

**Attachment 1**

**State of Maine Bid Form, Facility Accounts and Estimated Usage**

(See Attached Excel Spreadsheet)

## **Attachment 2: State of Maine Standard Terms and Conditions for Electric Power Supply Agreements**

The State expects to negotiate the following terms into interested bidder's standard agreements. The wording of these terms may vary with each bidder, but the State will maintain equal protection for its interests such that risk assumed by the State and by bidders is similar.

Please follow this link to view the terms and conditions:

[https://www.maine.gov/dafs/bbm/procurementservices/sites/maine.gov.dafs.bbm.procurementservices/files/inline-files/BPO\\_General\\_Terms\\_5-15-23%20Final\\_0.pdf](https://www.maine.gov/dafs/bbm/procurementservices/sites/maine.gov.dafs.bbm.procurementservices/files/inline-files/BPO_General_Terms_5-15-23%20Final_0.pdf)

**Attachment 3**

**State of Maine Letter of Authorization  
for the Request of Historical Usage Information**

Please accept this letter as a formal request and authorization to release energy usage data, including kWh and interval data (if applicable) for the accounts in the attached list served by your Local Distribution Company (LDC). This information request shall be limited to no more than the most recent 12-month period of service.

Please forward usage information using a standard electronic format to the Electricity Supplier identified below.

**AUTHORIZATION**

I affirm that I have the authority to make and sign this request on behalf of my company for all accounts that are associated with this request.

<b>Printed Name</b>		<b>Email</b>	
<b>Phone</b>		<b>Signature</b>	
<b>Electricity Supplier Company Name</b>		<b>Company Address</b>	

By checking this box, the above party affirms that they have authorization from the State of Maine to obtain historical usage information and holds the LDC harmless for providing the historical data to requested party as identified on this form.

**As Authorized By:**

<b>Printed Name and Title</b>	Brandon Martin, Acting Deputy Chief Procurement Officer	<b>Email</b>	Brandon.Martin@maine.gov
<b>Phone</b>	207-215-3169		
<b>Department</b>	DAFS, Division of Procurement Services	<b>Address</b>	111 Sewall St SHS #9 Augusta, ME 04333-0009

**Attachment 4**

**State of Maine  
 Department of Administrative and Financial Services  
 Bureau of Business Management  
 Division of Procurement Services**

**BID COVER PAGE and DEBARMENT FORM**

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

By signing below Bidder affirms:

- Their bid complies with all requirements of this RFQ; and
- This bid and the pricing structure contained herein will remain firm for a period of 180 days from the date and time of the bid opening; and
- That 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; and
- That 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; and
- The undersigned is authorized to enter into contractual obligations on behalf of the above-named organization.

Name:	Title:
Authorized Signature:	Date:

## Debarment, Performance, and Non-Collusion Certification

*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.**

*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:	Title:
Authorized Signature:	Date: