**STATE OF MAINE REQUEST FOR PROPOSALS**

**RFP AMENDMENT # 1 AND**

**RFP SUBMITTED QUESTIONS & ANSWERS SUMMARY**

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| **RFP NUMBER AND TITLE:** | RFP# 202407132 – Vendor Disparity Study |
| **RFP ISSUED BY:** | DAFS/Office of State Procurement Services |
| **SUBMITTED QUESTIONS DUE DATE:** | September 27, 2024 |
| **AMENDMENT AND QUESTION & ANSWER SUMMARY ISSUED:** | October 3, 2024 |
| **PROPOSAL DUE DATE:** | October 11, 2024, no later than 11:59 p.m. local time |
| **PROPOSALS DUE TO:** | Proposals@maine.gov |
| **Unless specifically addressed below, all other provisions and clauses of the RFP remain unchanged.** |
| **DESCRIPTION OF CHANGES IN RFP:**1. The End Date of the anticipated contract term in Part I, D of the RFP is amended.
2. Part III, C, 2, f, of the RFP is amended to refer to the appropriate Appendix under File 4.

 1. Part IV, Section I, 3 of the RFP is amended. A third requirement has been added.
2. Part IV, Section II, 5 of the RFP is amended.
3. Part IV, Section IV, 1, a of the RFP is amended, along with Appendix D (Cost Proposal Form) to reflect the amended contract period. The updated form is embedded below.
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| **REVISED LANGUAGE IN RFP:**1. The table in Part I, D of the RFP is amended to read:

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| **Period**  | **Start Date**  | **End Date**  |
| Initial Period of Performance  | 12/01/2024  | 07/01/2026  |

1. Part III, C, 2, f (File 4) is amended to read:
2. **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.1. Part IV, Section I, 3 of the RFP is amended to read:
	1. **Eligibility Requirements**

Bidders must provide documentation to demonstrate meeting eligibility requirements stated in PART I, C. of the RFP. This documentation includes: 1. The Bidder must provide an example of one (1) past project they completed using statistical measurements.
* Note: This example of a past project is separate from the past projects/references required in Appendix C.

 1. The Bidder must provide an example of one (1) past project they completed as part of a diversity program or a disparity study where they identified legal risks linked to the program.
* Note: This example of a past project is separate from the past projects/references required in Appendix C.
1. By submitting a proposal, the Bidder affirms that at least one (1) member of Bidder’s personnel assigned to the Study has a doctorate degree in economics or statistics from an accredited university and at least one (1) member of Bidder’s personnel assigned to the Study has a Juris Doctor degree from an accredited university.
2. Part IV, Section II, 5 of the RFP is amended to read:
	1. **Financial Viability**

Bidders must provide a current copy of their Dun & Bradstreet Business Information Report Snapshot or Bidders must provide the following information for each of the past three tax years: 1. Balance Sheets
2. Income (Profit/Loss) Statements
3. Part IV, Section IV, 1, a. is amended to read:

**a.** Bidders must submit a cost proposal that covers the period starting 12/01/2024 and ending on 07/01/2026.In addition, the Excel file in **Appendix D** (Cost Proposal) is replaced entirely with the document embedded below. Double click on the icon to access the document. Please be aware the embedded document will not be accessible if viewing this amendment (or the original RFP) in a web browser. Download this Amendment and open it in a desktop app to access the embedded file. If you still have trouble, please reach out to the RFP Coordinator. |

**Provided below are submitted written questions received and the Department’s answer.**

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| **1** | **RFP Section & Page Number** | **Question** |
| N/A | What type of data is currently available and in what format - electronic, hard copy?       a.) Contract data - to include bid and award logs       b.) Purchase Order data       c.) Accounts Payables and Pay Cards data |
| **Answer** |
| Contract data for Prime Vendors is stored in the State eProcurement systems, CGI Advantage and Microsoft SharePoint. The extent to which cumulative bid and award logs are available is yet to be determined. Purchase order data will be available, along with accounts payable.Purchase card ‘P-Card’ data will be made available. The available timeframe of this data is **July 1st, 2023, to June 30th, 2024.**All data will be in electronic format. Primarily Excel spreadsheets(.XLSX) and Comma Separated Values (.CSV). |

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| **2** | **RFP Section & Page Number** | **Question** |
| N/A | Confirm availability of subcontractor data especially for construction or other capital contracts |
| **Answer** |
| Subcontractor contract data is not available for use at this time, nor for this contract. |

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| **3** | **RFP Section & Page Number** | **Question** |
| N/A | Confirm availability of a complete vendor list  |
| **Answer** |
| Yes. There is a complete prime vendor list that will be available from our eProcurement software, CGI Advantage.  |

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| **4** | **RFP Section & Page Number** | **Question** |
| N/A | Does the current procurement process capture MSWBE designations? |
| **Answer** |
| Not at this time, no. |

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| **5** | **RFP Section & Page Number** | **Question** |
| N/A | Does State of Maine have a procurement manual that's adhered to? |
| **Answer** |
| There is not a current manual, however there are relevant policies, based on the Maine Revised Statutes and Acts. **Limited access to internal policy resources can be made available.** These policies can be found at the following link: <https://www.maine.gov/dafs/bbm/procurementservices/Policies-Procedures>  |

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| **6** | **RFP Section & Page Number** | **Question** |
| N/A | Does State of Maine procure centrally? Do departments/groups have buying authority independent of a central? |
| **Answer** |
| State of Maine has a hybrid procurement model. See [Title 5, Part 4, Chapter 155, Subchapter 1, §1812. Scope of purchasing authority](https://www.mainelegislature.org/legis/statutes/5/title5sec1812.html). Construction and capital projects, for example, are managed by the Bureau of General Services and Maine DOT conducts procurements independent from the Maine Office of State Procurement Services. |

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| **7** | **RFP Section & Page Number** | **Question** |
| N/A | Are there any value or threshold for which procurements are authorized by the board/leadership? |
| **Answer** |
| Yes. The State Procurement Review Committee (SPRC) reviews all procurements over $1,000,000.00. |

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| **8** | **RFP Section & Page Number** | **Question** |
| N/A | Does State of Maine receive bids for all procurements? Are there any procurements that are not subject to bidding? |
| **Answer** |
| All bid submissions in response to RFPs, RFAs, and RFQs published through the Office of State Procurement Services (OSPS) are received by OSPS and not by agencies directly. OSPS does not directly receive the bids related to informal bid processes run by agencies (defined below). Informal bidding may now be used below **$25,000 threshold**. This was recently changed from **$10,000**. Purchase Cards “P-Cards” can be used for purchases below **$5,000 or one time or intermittent services.** Other acceptable procurements that are not subject to bidding include: Single Source/Unique Vendor, Proprietary/Copyright/Patents, Pursuant the negotiations regarding the procurement of petroleum products, Emergencies, University Cooperative Project (See [M.R.S. Title 5, Chapter 155, §1825-B, 2., E.](https://legislature.maine.gov/statutes/5/title5sec1825-B.html)), State Statute/Agency Directed, and Federal Agency Directed. |

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| **9** | **RFP Section & Page Number** | **Question** |
| N/A | If State of Maine does bid procurements, does State of Maine maintain the bidding results? Electronically? Are the results public facing? |
| **Answer** |
| Yes. These results are available in the award package, including the group consensus scoring and comments. They can be found at this link: <https://www.maine.gov/dafs/bbm/procurementservices/vendors>  |

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| **10** | **RFP Section & Page Number** | **Question** |
| N/A | How many staff have recurring buying authority? |
| **Answer** |
| There is not a precise figure on this. As needed, appropriate staff are authorized to prepare and submit procurement documents; including Contracts, Service Contracts, Business Purchase Orders, etc., which are then reviewed and approved by Office of State Procurement Services staff.To clarify the scope of this project, there are **roughly 750** registered cardholders in the State's previous P-card system. For availability of this data, please see Question 1 above. |

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| **11** | **RFP Section & Page Number** | **Question** |
| N/A | Are all buyers performing work at State of Maine? |
| **Answer** |
| Yes, either in-person or remotely. |

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| **12** | **RFP Section & Page Number** | **Question** |
| N/A | Are there any statutory purchasing requirements that guide or impact State of Maine's buying activities? |
| **Answer** |
| Statute requires that in the case of an *exact tie*, *including cost*, the award be made to the in-state party. “The Director of the Bureau of General Services shall award contracts, grants or purchases to in-state bidders or to bidders offering commodities produced or manufactured in the State if the price, quality, availability and other factors are equivalent” [[PL 2015, c. 179, §2 (AMD).]](https://www.mainelegislature.org/legis/statutes/5/title5sec1825-b.html).  |

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| **13** | **RFP Section & Page Number** | **Question** |
| Part IV, Section IPage 14 | The Eligibility Requirements of the RFP, states: “The Bidder must provide a copy of their personnel’s diploma … .” Is it necessary to ask our personnel to track down copies of their diplomas? Nearly all our staff have graduate degrees (including our Principal Research on the project, who has a statistics-related PhD), but tracking down their diplomas is a burdensome request. Would the State consider eliminating the diploma requirement? |
| **Answer** |
| The Department will modify the documentation needed to demonstrate meeting the Eligibility requirements of the RFP. This is reflected in **Amendment 1** above. |

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| **14** | **RFP Section & Page Number** | **Question** |
| Part VI, Section A1 Page 20 | Part VI, Section A1 indicates that “The awarded bidder will be required to execute a IT Service Contract (IT-SC) … .” Is this requirement included erroneously, considering the nature of this work is professional services? |
| **Answer** |
| Its inclusion was intentional. An IT-SC is required on purchases involving the State of Maine sharing data with a supplier/contractor/vendor, or the collection of data on behalf of the State. This is based on Title 5 of the Maine Revised Statutes, [§1973.](https://legislature.maine.gov/legis/statutes/5/title5sec1973.html) |

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| **15** | **RFP Section & Page Number** | **Question** |
| Part III, Pg. 13  | On page 13 of the RFP, under File 4 – Cost Proposal, Appendix (E) is listed as the Cost Proposal form. On page 22 and 27 the Cost Proposal Form is identified as Appendix (D). Is there a typo on page 13 so that it should read Appendix D instead of Appendix E?  |
| **Answer** |
| Yes, that is a typo on Page 13. This has been corrected in **Amendment 1** above**.** Appendix D is the Cost Proposal. Appendix E is the Confidentiality and Con-Disclosure Agreement. |

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| **16** | **RFP Section & Page Number** | **Question** |
| Part IV, Pg. 14  | On page 14 of the RFP, under Section I.3. Eligibility Requirements, bidders are asked to provide 1.) “*a copy of their personnel’s diploma in tandem with an example of one (1) past project they completed using statistical measurements*.” Can you please clarify what information is needed as part of the “personnel’s diploma”?  |
| **Answer** |
| This requirement has been removed. This change is reflected in Amendment 1 above. |

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| **17** | **RFP Section & Page Number** | **Question** |
| Pg. 27, Figure 1.  | Appendix D Cost Proposal Form shows an Excel file labeled “ITP-243189 Cost Proposal V1.xlsx.” Can you provide a copy of the file?  |
| **Answer** |
| Yes. Another copy of Cost Proposal Form ITP-243189 is attached in Amendment 1 above. Please see the instructions for accessing the document. |

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| **18** | **RFP Section & Page Number** | **Question** |
| Part 1, Letter F, Contract Amount pg. 8 | $615,000 is low for a state-wide study, is there a possibility of raising that dollar amount? |
| **Answer** |
| This maximum dollar amount cannot be changed. |

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| **19** | **RFP Section & Page Number** | **Question** |
| N/A | Does the state currently certify or maintain certification lists for MBE, WBE, VBE/SDVBE, SBE, and LGBTQ+ firms? |
| **Answer** |
| No, not at this time. |

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| **20** | **RFP Section & Page Number** | **Question** |
| Part II, Letter B, pgs. 9-10 | Part II, B, 1 requests a labor analysis. Is this an add-on workforce study of individuals? If not, please clarify this aspect of the scope of work as this is not typically part of a disparity study which focuses on businesses. |
| **Answer** |
| A labor analysis is not requested. Disparity indices, however, will require understanding availability of socially and economically disadvantaged businesses. |

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| **21** | **RFP Section & Page Number** | **Question** |
| N/A | Does the state maintain and track all payments made to subcontractors? If not, what subcontractor data does the state maintain and in what format? |
| **Answer** |
| The State does not maintain sub-contractor data. |

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| **22** | **RFP Section & Page Number** | **Question** |
| Appendix D, Cost Proposal Form, pg. 27 | May the proposer edit the cost proposal to align with its anticipated tasks and deliverables? |
| **Answer** |
| The proposers may edit the formatting of the cost proposal document to better align with their individual proposals. However, the cost proposal must be submitted in an excel file format, result in a Total Expenses amount to be used as the Proposed Cost for scoring purposes as defined in Part V, B, 3 of the RFP, and the cost must cover the general deliverable requirements enumerated in Appendix D. |

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| **23** | **RFP Section & Page Number** | **Question** |
| Proposal Submission Deadline, pg. 1 | Will the State consider extending the Study due date by at least a week? |
| **Answer** |
| The Initial Period of Performance has been extended four months to July 1st, 2026, in Amendment 1. |

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| **24** | **RFP Section & Page Number** | **Question** |
| N/A | Is this Maine's first state-wide disparity study? |
| **Answer** |
| Yes. |

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| **25** | **RFP Section & Page Number** | **Question** |
| Part IV Proposal Submission Requirements, Section 1, number 3 pg. 14 | In Part IV of the Proposal Submission Requirements, Section 1, Number 3, the RFP asks proposers to, “provide a copy of their personnel’s diploma…” Can the proposer include resumes/bar numbers to showcase our team’s qualifications as opposed to includingdiplomas? |
| **Answer** |
| This requirement has been removed in Amendment 1. However, résumés, bar numbers, and other qualifications are welcome as part of the Bidder’s proposal submission. |

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| **26** | **RFP Section & Page Number** | **Question** |
| Proposal Submission Deadline, pg. 1 | Will the State answer questions as they are received or will they post all of the answers at once, no later than seven (7) calendar days prior to the proposal due date? |
| **Answer** |
| All answers are being answered simultaneously, no later than seven (7) calendar days prior to the proposal due date. |

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| **27** | **RFP Section & Page Number** | **Question** |
| Part I, Section D, Contract Term, pg. 8 | We understand it is the State of Maine’s goal to have this study completed in 12 months. Based on our experience, it can be difficult to collect all the data form state governments in the first quarter of the study. In order to produce a quality study in 12 months, we would have to collect all data in 3 months from all agencies. If that can be assured, we can commit to a 12-month timeline. However, would the state be open to extending the study timeline to 18 months to give the State more time for data collection? |
| **Answer** |
| Yes, the Department will extend the end date of the anticipated contract End Date to 07/01/2026. Please see Amendment 1 above. |

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| **28** | **RFP Section & Page Number** | **Question** |
| Section II, pg. 15 | In Section II, Financial Viability, the RFP asks proposers to, “Provide a current copy of their Dun & Bradstreet Business Information Report Snapshot.” Can proposers submit other documents to prove their financial viability? |
| **Answer** |
| Yes, an alternate pathway was added to allow bidders to prove their financial viability. Please see Amendment 1 above). |

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| **29** | **RFP Section & Page Number** | **Question** |
| Section II, #1, pg. 15 | In Section II, “Licensure/Certification”, the RFP mentions that, “ Bidders may provide documentation of any applicable licensure/certification or specific credentials that are related to providing the proposed servicesof the RFP. This documentation may include: Copy of Active Admission for attorney(s) the bidder reasonably believes will be required to work with the State of Maine in the satisfactory performance of the deliverables enumerated in this RFP.” Does this mean attorneys need to be licensed in Maine to work on this project” |
| **Answer** |
| No, a State of Maine Bar Card is not required, however any relevant bar numbers may be included in the Bidder’s proposal submission. |

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| **30** | **RFP Section & Page Number** | **Question** |
| N/A | Please confirm if there is an MWBE subcontracting goal. |
| **Answer** |
| The State has no MWBE contracting goals at this time, including subcontracting. |

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| **31** | **RFP Section & Page Number** | **Question** |
| N/A | What is the State’s fiscal year? |
| **Answer** |
| July 1 to June 30. |

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| **32** | **RFP Section & Page Number** | **Question** |
| N/A | Does the State maintain bid tabulations, vendor data, payments, awards, and subcontractors (for both MWBEs and non-MWBEs)? What is the format of this data? |
| **Answer** |
| Vendor, bid, payment, and award data will be made available in electronic format and **is available for prime contractors only**. |

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| **33** | **RFP Section & Page Number** | **Question** |
| N/A | What departments are included in the disparity study? Any airport, libraries or museums? |
| **Answer** |
| [This Study should include State Agencies](https://www.maine.gov/portal/government/state-agencies/). The State Museum and State Library should be included. Airports are not relevant to this Study.  |

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| **34** | **RFP Section & Page Number** | **Question** |
| N/A | If an airport is included is this study only of non-federally funded contracts? If not, please explain the extent of the study of federal funded contracts |
| **Answer** |
| Airports are run locally, so they will not be relevant to this Study. Maine ACDBE numbers **are not** available. |

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| **35** | **RFP Section & Page Number** | **Question** |
| N/A | Is the State’s procurement process centralized or decentralized? In other words, will we need to get payment, award, vendor, subcontractor, or bid tabulation data from one source or will we have to go to various sources to collect them? |
| **Answer** |
| The State of Maine process is hybrid. **Please see answers to questions one (1) and six (6).** The awarded bidder should expect the majority of data to be provided directly by the Office of State Procurement Services. |

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| **36** | **RFP Section & Page Number** | **Question** |
| Part IV SubmissionRequirements, Section III, number 3, Pg. 16 | In Part IV Submission Requirements, Section III, number 3, PrincipalResearcher, the RFP states, “The proposal must identify a researcherwho will be the principal point of contact and exercise responsibility forthe overall conduct, day-to-day activities, and timeliness of the Study(“Principal Researcher”).” Will the State accept a Project Manager whois not the Principal Researcher but will still serve as the principal pointof contact? |
| **Answer** |
| A project manager may be involved in managing the overall conduct, day-to-day activities, and timeliness of the Study; however, the Principal Researcher must serve as the primary point of contact between the State of Maine and the bidder. The Principal Researcher may delegate certain responsibilities to project managers; however, the Principal Researcher must exercise responsibility for the overall conduct, day-to-day activities, and timeliness of the Study. |