**STATE OF MAINE**

**Department of Economic & Community Development**



**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

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| *All communication regarding the RFP must be made through the RFP Coordinator.* | | |

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| --- | --- |
| **Submitted Questions Due Date** | February 13, 2025, no later than 11:59 p.m., local time |
| *All questions must be received by the RFP Coordinator by the date and time listed above.* | |

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| **Proposal Submission Deadline** | **DATE:** | February 27, 2025, no later than 11:59 p.m., local time. |
| **TO:** | [Proposals@maine.gov](mailto:Proposals@maine.gov) |
| *Proposals must be received electronically by the Office of State Procurement Services by the date and time listed above.* | | |

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PUBLIC NOTICE

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**State of Maine**

**Department of Economic & Community Development**

**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

The State of Maine is seeking proposals for a qualified professional firm to assist the

Department in the establishment and administration of a social equity program per the requirements of H.P. 972 - L.D. 1517, *An Act to Establish a Social Equity Program.*

With oversight and strategic direction provided by the Department of Economic & Community Development, the services will include designing and implementing a program to increase workforce development programs and provide support to individuals who are members of impacted communities and businesses that are owned by members of impacted communities.

A copy of the RFP and all related documents can be obtained at: <https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps>

Proposals must be submitted to the Office of State 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 February 27, 2025. Proposals will be opened the following business day.

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**RFP TERMS/ACRONYMS with DEFINITIONS**

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

|  |  |
| --- | --- |
| **Term/Acronym** | **Definition** |
| **Advisory Committee** | Social Equity Program Advisory Committee |
| **Department** | Department of Economic & Community Development |
| **Program** | Economic Development Social Equity Program |
| **RFP** | Request for Proposals |
| **State** | State of Maine |
| **OIT** | Office of Information Technology |

**State of Maine**

**Department of Economic & Community Development**

**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

**PART I INTRODUCTION**

1. **Purpose and Background**

Per statute (see Appendix F), the Department is required to establish and administer a social equity program to increase workforce development programs and provide support to individuals who are members of impacted communities and businesses that are owned by members of impacted communities. The Department is seeking a vendor to establish and administer the business support components of this program, as well as to convene and staff the Advisory Committee tasked with overseeing the program. 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.

“Impacted community" means a racial, ethnic or tribal population that has experienced incarceration at rates disproportionate to the racial, ethnic or tribal population's rate of criminality starting in or about the year 1971 and as a result the racial, ethnic or tribal population has experienced direct or indirect discrimination in access to housing, employment and education.

The statute also specifies that a Social Equity Program Advisory Committee, “Advisory Committee” be established. The Advisory Committee will serve to advise the Department on the development and implementation of the program. The Advisory Committee is required by statute to have five members who are members of impacted communities. Two members of the Advisory Committee will be appointed by the President of the Senate and three members will be appointed by the Speaker of the House. The first-named member appointed by the Speaker of the House is the chair of the Advisory Committee. The Commissioner of Economic & Community Development, or the commissioner's designee, shall convene the Advisory Committee as necessary to carry out its advisory duties.

It is anticipated that any bidders who can show previous experience in workforce and business development related to social equity will receive a higher score. Successful bidders must be able to design programming that complements existing work being done by the State of Maine in these areas, including workforce development, social equity, and increasing support to businesses owned by impacted communities. Of specific relevance is recent Maine Jobs & Recovery Plan programming related to this work, including the recent Request for Applications for Improving Diverse Talent Attraction and Retention.

1. **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.
2. **Contract Term**

The Department is seeking cost-efficient proposals to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. 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 1 (one) renewal period, 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 | March 1, 2025 | February 28, 2026 |
| Renewal Period #1 | March 1, 2026 | February 28, 2027 |

1. **Number of Awards**

The Department anticipates making one (1) award as a result of this RFP process.

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

1. **TASKS**

The Office of Business Development requires the following tasks to be performed over the initial 12-month period of the contract:

1. **Project Management/Staffing.** Project management is required to:

* streamline communication with Advisory Committee,
* convene the Advisory Committee via remote meetings (Zoom or Microsoft Teams) at a frequency anticipated to be once per month between February 2025 and January 2026 and
* keep track of meeting agendas, discussion, access for the public, etc.
  + The project management should be highly effective and result in clear communications with both OBD and Advisory Committee members, as well as ensuring adherence to the statute (H.P. 972 - L.D. 1517, *An Act to Establish a Social Equity Program)*. This includes:
  + sending emails to Advisory Committee members,
  + scheduling the Advisory Committee meetings,
  + setting up the Zoom/Teams link with links available within the calendar invites,
  + setting up the calendar invites,
  + drafting meeting agendas,
  + taking notes during meetings,
  + recording meeting minutes, and
  + providing content for program materials as Word documents.

1. **Program Development.** As described in the statute, the Department must establish and administer a social equity program. The central task of this project is to accomplish this purpose. As described in statute, the program will increase access to business support services to impacted communities by:
2. Providing outreach to impacted communities to support business development by and business success of members of impacted communities;
3. Providing technical assistance to support business development by and business success of members of impacted communities;
4. Providing “seed” funds to members of impacted communities starting, maintaining or expanding a business; and
5. Providing education and counseling about available tax credits to members of impacted communities.

The awarded bidder is expected to design and implement a program that accomplishes these tasks. This may involve subcontracting with technical assistance providers. The program design should also suggest a mechanism for providing funds, as described above. It is expected that the awarded bidder provide funds to members of impacted communities, using funds allocated to the Department that are paid to the awarded bidder as a result of the successful award of this RFP. The Department anticipates that the successful bidder will set aside approximately $150,000 of the $300,000 total budget for item (c) described above. The remaining $150,000 will be for the rest of the tasks described in this RFP.

Please note that the Department already has staff available to provide tax credit guidance, although we do not have technical assistance providers.

A critical part of item (c) above will be determining how to deploy seed funds in a way that is competitive, accessible, easy for applicants to apply for, and in compliance with all State of Maine competitive procurement guidelines, where applicable. See https://www.maine.gov/dafs/bbm/procurementservices/.This will likely involve designing a grant program, including all of the required materials (program guidelines, FAQ, meeting agendas, etc.). The grant applications are anticipated to be Word documents and/or .pdfs that are emailed to the Department from the applicants. The consultant will be expected to prepare award letters and execute contracts with grant awardees. The consultant will need to provide technical assistance and “customer service” to those attempting to apply.

1. **Stakeholder Consultation.** The awarded bidder is expected to review other current efforts of the State of Maine related to workforce development and assistance provision to businesses owners within impacted communities. It is expected that a small number of hours is spent by the consultant in understanding existing efforts. This may include meetings with staff at the Department, as well as the Department of Education, Department of Labor, and Department of Administrative & Financial Services. Other consultations with organizations and agencies external to State government may also be required, including the Maine Community College system and non-profit organizations, as applicable.
2. **Legislative Report.** As required by the statute, by December 15, 2026, the Department of Economic & Community Development will file a report with the joint standing committee of the Legislature having jurisdiction over economic and community development matters and the joint standing committee of the Legislature having jurisdiction over cannabis matters. The report must include details on the activities and impact of the Department’s efforts required under the statute. As other Departments within Maine State government are required to prepare reports as required under the statute, the awarded bidder will need to confer with other departments to ensure that the Department’s report is relevant to and collaborative with other reports. The report shall be drafted correctly for a legislative report and shall include all elements outlined in the statute. The awarded bidder will be available, if requested by either legislative committee, to provide an oral presentation on the report to one or both committees. The awarded bidder will continue to make themselves available to respond to any additional questions committee members may pose pursuant to the report and/or presentation thereof.

1. **Monthly Progress Meetings.** The awarded bidder will meet with the Department monthly, at a mutually agreed time to discuss project progress, upcoming tasks, and agendas for upcoming Advisory Committee meetings.

All tasks will be undertaken under the direction and oversight of the Department. All meeting agendas and draft deliverables will be submitted to the Department for review and approval. Project progress will be reviewed/approved by the Commissioner of the Department, or her designee, if requested. All legislative communications will be reviewed and approved by the Commissioner’s Office.

1. **DELIVERABLES**

The awarded bidder will prepare both a draft and final version of each of the deliverables described below, unless one draft is decided upon by the Department. For each draft deliverable, the Department will have the opportunity to review and suggest revisions. Also, for each deliverable, the awarded bidder and the Department will agree on a format and approximate length. The Department requires well-organized, concise deliverables with bullets, simple yet compelling graphics, and clear executive summaries and recommendations.

Project Deliverables:

1. **Advisory Committee.** In close consultation with the Commissioner’s Office within the Department, the awarded bidder will develop a list of potential Advisory Committee members. As the members are to be appointed in a way that is specified within the statute and may involve legislative communication, this communication must be done with the oversight of the Commissioner’s Office. Legislative contact outside the oversight of the Commissioner’s Office will not be permitted. In addition to developing the list of Advisory Committee members, the awarded bidder will also manage the meeting invites, agendas, minutes, and other work related to the Advisory Committee. All meetings will be public meetings.
2. **Program Materials.** The program materials which are anticipated to be prepared as a .pdf document will include resources, outreach opportunities, funding resources, technical assistance resources, and other resources intended to assist the impacted communities in accessing the resources in a way that works best for them. The awarded bidder will provide the Department with narrative text (in Word) of these materials and resources.
3. **Outreach Plan.** As described above, the awarded bidder will be required to provide outreach to impacted communities to support business development by and business success of members of impacted communities.
4. **Technical Assistance** **Plan.** Either provided by the awarded bidder or their subcontractor, technical assistance must be provided to impacted communities. It is up to the awarded bidder to design the best way to do this, being sensitive to the access, digital equity, and cultural requirements that may be needed by impacted communities. The awarded bidder will prepare a technical assistance plan that describes how this technical assistance will be provided, including for business start-up and accessing tax credits. It is possible that part of this Technical Assistance Plan will involve resource navigation to link members of impacted communities with existing business advising resources (e.g., Small Business Development Centers, Service Corps of Retired Executives).
5. **Grant Program Design and Implementation.** The awarded bidder will design and implement a comprehensive grant or “seed fund” program, as described in the statute, with the goal of deploying approximately $150,000 in funding in accordance with the funding allocation schedule specified in the statute.
6. **Legislative Report.** A draft and final report prepared in accordance with the specific report requirements per the statute (see Task 4, above). The report will be prepared in Microsoft Word in a format that allows edits/comments from multiple parties. The awarded bidder can suggest an alternative method to capture edits, if requested. We do not want Google Docs to be used
7. **Kick-Off and Progress Meetings.** The awarded bidder will meet with the Department during project kick-off (February 2025, after contract is finalized). Monthly progress meetings with the Department will also be required. It is anticipated that additional meetings may be needed during/after report preparation.

**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 should use **Appendix E** (Submitted Questions Form) for submission of questions. If used, the form is to be submitted as a WORD document.
      2. Questions 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. The RFP Number and Title must be included in the subject line of the e-mail containing the submitted questions. 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: [Office of State 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: [Office of State 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. **Proposal Submission**
   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.
      1. Any 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 must be submitted to the Office of State Procurement Services at [Proposals@maine.gov](mailto:Proposals@maine.gov).
      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.
         1. Proposal submission e-mails that are successfully received by the [proposals@maine.gov](mailto:proposals@maine.gov) inbox will receive an automatic reply stating as such.
      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. Bidders should work with their Information Technology team to ensure that the proposal submission will not be encrypted due to any security settings.
      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.
   3. **Submission Format:**
      1. Bidders are to insert the following into the subject line of their e-mail proposal submission: **“RFP# 202411196 Proposal Submission – [Bidder’s Name]”**
      2. 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** (Responsible Bidder Certification)

All required eligibility documentation stated in PART IV, Section I.

* **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:**

*PDF 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.

Bidders’ proposals 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 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. Bidders must 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. **Responsible Bidder Certification**

Bidders must complete **Appendix B** (Responsible Bidder Certification). The Responsible Bidder Certification 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 (3) 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.  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 a current copy of their Dun & Bradstreet Business Information Report Snapshot.

* 1. **Licensure/Certification**

Bidders may provide documentation of any applicable licensure/certification or specific credentials that are related to providing the proposed services of the RFP.

* 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**

Bidders must discuss the Scope of Services referenced above in Part II of the RFP and what the Bidder will offer, including a description of the methods and resources the Bidder will use and how each task involved will be accomplished. Bidders must also describe how the expectations and/or desired outcomes as a result of these services will be achieved. If subcontractors are involved, Bidders must clearly identify the work each will perform.

* 1. **Implementation - Work Plan**

Bidders must provide a realistic work plan for the implementation of the program through the first contract period. The work plan must be displayed in a timeline chart, and 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, Bidders must identify 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 March 1, 2025, and ending on February 28, 2026.
     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 disqualification or reduction in scoring of the cost proposal, 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.
   4. Changes to proposals, including updating or adding information, will not be permitted during any portion of the evaluation process. 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:** Proposal scores 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**  Proposal materials to be evaluated in this section: all elements addressed in Part IV, Section I of the RFP. | **(No Points – Eligibility Requirements)** |
| **Section II.** | **Organization Qualifications and Experience** Proposal materials to be evaluated in this section: all elements addressed above in Part IV, Section II of the RFP. | **(30 points)** |
| **Section III.** | **Proposed Services**  Proposal materials to be evaluated in this section: all elements addressed above in Part IV, Section III of the RFP. | **(40 points)** |
| **Section IV.** | **Cost Proposal**  Proposal materials to be evaluated in this section:all elements addressed above in Part IV, Section IV of the RFP. | **(30 points)** |

* 1. **Scoring Process:** For proposals that demonstrate meeting the eligibility requirements in Section I, if applicable, 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. Section 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 30 points. Proposals with higher bid 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 30 = 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 an IT Service Contract (IT-SC) with appropriate riders as determined by the issuing department. Bidders shall carefully review the IT-SC. The IT-SC includes Appendix E Confidentiality and Non-Disclosure Agreement. All exceptions will be negotiated between the awarded Bidder(s) and the State. The State will not accept any proposed exceptions as part of this RFP process. The State is not obligated to accept, negotiate, or compromise of any proposed exceptions.

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: [Office of State 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 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 the RFP.

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

**Appendix A** – Proposal Cover Page

**Appendix B** – Responsible Bidder Certification

**Appendix C** – Qualifications and Experience Form

**Appendix D** – Cost Proposal Form

**Appendix E** – Submitted Question Form

**Appendix F** – Documents to Review

**APPENDIX A**

**State of Maine**

**Department of Economic & Community Development**

**PROPOSAL COVER PAGE**

**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **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**

**Department of Economic & Community Development**

**RESPONSIBLE BIDDER CERTIFICATION**

**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

|  |  |
| --- | --- |
| **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.*
6. *Is not a foreign adversary business entity (*[*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies)*).*
7. *Is not on the list of prohibited companies (*[*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies)*) or does not obtain or purchase any information or communications technology or services included on the list of prohibited information and communications technology and services* [*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies) *(Title 5 §2030-B).*

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

**APPENDIX C**

**State of Maine**

**Department of Economic & Community Development**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

|  |  |
| --- | --- |
| **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.** |
|  |

|  |
| --- |
| **Provide a description of projects that occurred within the past five (5) years which reflect experience and expertise needed in performing the functions described in Part II – Scope of Services to be Provided of the RFP. Contract history with the State of Maine, whether positive or negative, may be considered in evaluating 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** | |
|  | |

|  |  |
| --- | --- |
| **Project Three** | |
| **Client Name:** |  |
| **Client Contact Person:** |  |
| **Telephone:** |  |
| **E-Mail:** |  |
| **Brief Description of Project** | |
|  | |

**APPENDIX D**

**State of Maine**

**Department of Economic & Community Development**

**COST PROPOSAL FORM**

**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |
| **Tasks #1-5 Cost:** | **$** |
| **Deliverables #1-7 Cost:** | **$** |
| **Subcontractor Costs:** | **$** |
| **Travel and other expenses not captured above – please list details:** | **$** |
| **Proposed Total Cost:** | **$** |

**Please note: When determining Cost Score during the evaluation of this RFP, only Proposed Total Cost above will be used to determine the score.**

**APPENDIX E**

**State of Maine**

**Department of Economic & Community Development**

**SUBMITTED QUESTIONS FORM**

**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

This form should be used by Bidders when submitting written questions to the RFP Coordinator as defined in Part III of the RFP.

If a question is not related to any section of the RFP, enter “N/A” under the RFP Section & Page Number. Add additional rows as necessary.

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

|  |  |
| --- | --- |
| **RFP Section & Page Number** | **Question** |
|  |  |
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**APPENDIX F**

**State of Maine**

**Department of Economic & Community Development**

**RFP# 202411196**

**Economic Development Social Equity Program Establishment and Administration**

**Document to Review:**

* State of Maine H.P. 972 - L.D. 1517, *An Act to Establish a Social Equity Program*

Link: <https://legislature.maine.gov/backend/App/services/getDocument.aspx?documentId=107396>