**STATE OF MAINE**

**Department of Environmental Protection**

*Bureau of Remediation & Waste Management*



**RFP# 202411202**

**Fairfield and Benton Area Per- and Polyfluoroalkyl Substances (PFAS) Ongoing Filter Monitoring Project**

|  |  |  |
| --- | --- | --- |
| **RFP Coordinator** | **NAME:** | Sarah Smith  |
| **TITLE:** | Environmental Specialist III |
| **EMAIL:** | Sarah.Smith@maine.gov  |
| *All communication regarding the RFP must be made through the RFP Coordinator.* |

|  |  |
| --- | --- |
| **Submitted Questions Due Date** | January 20th, 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.*  |

|  |  |  |
| --- | --- | --- |
| **Proposal Submission Deadline** | **DATE:** | February 3rd, 2025, no later than 11:59 p.m., local time. |
| **TO:** | 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 Environmental Protection**

**RFP# 202411202**

**Fairfield and Benton Area Per- and Polyfluoroalkyl Substances (PFAS) Ongoing Filter Monitoring**

The State of Maine is seeking proposals to cover the entirety of the ongoing filter monitoring projects for the Fairfield PFAS Sites and Benton Woodworth PFAS Site. Through this RFP process, the Department seeks professional environmental consulting services with residential filter system experience and with the science and techniques to perform investigations and remediation to protect public health and the environment.

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. Proposal submissions must be received no later than 11:59 p.m., local time, on February 3rd, 2025. Proposals will be opened the following business day.

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**RFP TERMS/ACRONYMS with DEFINITIONS**

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

|  |  |
| --- | --- |
| **Term/Acronym**  | **Definition**  |
| **AFFF**  | Aqueous Film Forming Foam  |
| **Bidder**  | Company submitting a proposal in response to this RFP  |
| **CSM**  | Conceptual Site Model  |
| **Department**  | Department of Environmental Protection  |
| **DQO**  | Data Quality Objectives  |
| **EDD**  | Electronic Data Deliverable  |
| **EGAD**  | Environmental and Geographic Analysis Database  |
| **HASP**  | Health and Safety Plan  |
| **HAZWOPER**  | Hazardous Waste Operations and Emergency Response  |
| **OIT** | Office of Information Technology |
| **OSHA**  | Occupational Safety and Health Administration  |
| **PFAS**  | Per – and Polyfluoroalkyl Substances  |
| **PPE**  | Personal Protective Equipment  |
| **PQVL**  | Pre-Qualified Vendor List  |
| **QAPP**  | Quality Assurance Project Plan  |
| **RAGs**  | Remedial Action Guidelines for Contaminated Sites  |
| **RFB**  | Request for Bids (aka mini-bid process)  |
| **RFP**  | Request for Proposal  |
| **SAP**  | Sampling Analysis Plan  |
| **SSHASP**  | Site-Specific Health and Safety Plan  |
| **SSQAPP**  | Site Specific Quality Assurance Project Plan  |
| **State**  | State of Maine  |
| **Sum of Six (PFAS)**   | The six PFAS included in the State of Maine’s interim drinking water standard: PFOA, PFOS, PFHxS, PFHpA, PFNA, and PFDA.  |
| **USEPA**  | United States Environmental Protection Agency  |
| **Vendor**  | Company selected to be on the PQVL through this RFP. Pre-Qualified Vendors are then eligible to bid on subsequent RFBs  |

**State of Maine**

**Department of Environmental Protection**

**Bureau of Remediation & Waste Management**

**RFP# 202411202**

**Fairfield and Benton Area Per- and Polyfluoroalkyl Substances (PFAS) Ongoing Filter Monitoring**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Maine Department of Environmental Protection is seeking proposals to provide consulting services for a PFAS project as defined in this Request for Proposals (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the Awarded Bidder(s) will be selected, and the contractual terms that will govern the relationship between the State of Maine (State) and the awarded Bidder(s).

Pursuant to Public Law 2021, Chapter 478, the Maine Department of Environmental Protection (Department) is charged with identifying and remediating threats to the environment and public health associated with PFAS contamination. Through this RFP process, the Department seeks professional environmental consulting services for a PFAS project. Bidders must have experience with residential filter systems and use of scientific techniques to perform investigations and remediation to protect public health and the environment, as further outlined in this RFP.

These services shall cover the entirety of the ongoing filter monitoring projects for the Fairfield PFAS Sites and Benton Woodworth PFAS Site. The Awarded Bidder shall complete sampling of filtration systems, provide environmental data analysis, assist in resident outreach, and aid in basic filtration system maintenance.

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.). State contracts and information related to contracts, including bid submissions, are generally public records per FOAA.
	8. In the event that a Bidder believes any information that it submits in response to this RFP is confidential, it must mark that information accordingly, and include citation to legal authority in support of the Bidder’s claim of confidentiality. In the event that the Department receives a FOAA request that includes submissions marked as confidential, the Department shall evaluate the information and any legal authority from the Bidder to determine whether the information is an exception to FOAA’s definition of public record. If the Department determines to release information that a Bidder has marked confidential, it shall provide advance notice to the Bidder to allow for them to seek legal relief.
	9. 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.
	10. 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. **Eligibility to Submit Bids**

The Bidder must have a Maine Licensed Geologist as part of the project team.

1. **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: The Department anticipates making two contract renewals. The term of the anticipated contract, resulting from the RFP, is defined as follows:

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Initial Period of Performance | 02/20/2025 | 12/31/2026 |
| 1st Renewal | 01/01/2027 | 12/31/2028 |
| 2nd Renewal | 01/01/2029 | 12/31/2029 |

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**

For the purposes of this RFP, the Scope of Work includes, but is not limited to:

1. **Staffing Requirements**

1. Field personnel must have satisfactorily completed forty (40) -hour HAZWOPER safety training.
2. Employ at minimum one (1) Maine Licensed Geologist on staff/payroll.
3. Some tasks may require a Maine Licensed Professional Engineer (e.g., an unusual filter for building system designs); Awarded Bidders who wish to bid on these projects must have either a Maine Licensed Professional Engineer on staff or be able to sub-contract with a Maine Licensed Professional Engineer.
4. Submit environmental data (laboratory data and field data) to the Department in a Department-approved Electronic Data Deliverable (EDD) format for uploading to the Department databases, such as EGAD. For more information on EDDs and EGAD, visit the Department’s website:  <https://www.maine.gov/dep/maps-data/egad/#ed>.
5. Submit totalizer and shed electric meter readings in EDD format, using a template supplied by the Department.
6. Adhere to the Department’s sampling standards and be familiar with the following Department policies, procedures, and guidelines, to include but not limited to:
7. Maine Remedial Action Guidelines for Contaminated Sites (RAGs) (<https://www.maine.gov/dep/spills/publications/guidance/>);
8. Bureau of Remediation and Waste Management Standard Operating Procedures (SOPs) (<https://www.maine.gov/dep/spills/publications/sops/index.html>), including but not limited to the Chain of Custody Protocol, Protocol for Collecting Soil Samples, and Water Sample Collection from Water Supply Wells;
9. GIS Conventions for PFAS Field Sampling (<https://www.maine.gov/dep/ftp/Site-Info-For-Bidders/Supporting-Documents/>);

For more information on SOPs, visit the Departments website: <https://www.maine.gov/dep/spills/publications/sops/index.html>

1. **Project Implementation**
2. **Initial Meeting**

Within seven (7) days of the contract start date, meet with the Department to discuss the project in detail. The Department will provide an overview of the history of the projects, provide a list of property owners and sampling locations, templates, other pertinent information, and schedule for upcoming filter monitoring events.

1. **Sampling Requirements**
	1. Request access/sampling permission from each property owner, for private drinking water sampling. Outreach methods may include phone calls, letters, emails, use of an online scheduling platform.
	2. Develop Sampling Analysis Plans
		1. Before sampling commences, develop a Sampling Analysis Plan (SAP). For each field task during the site investigation, the SAP shall identify and/or discuss:
		2. Investigative purpose and data quality objectives (DQO) checklist of sample type(s), attachments, DQO, sample points, regulatory standards/guidelines, sample methods, field screening, and analytical methods.
	3. Develop Health and Safety Plans
		1. Develop a Health and Safety Plan (HASP) before sampling commences, which will list personnel health and safety requirements and procedures relative to the project site and the work proposed in the work plan for the project. For each field task during site investigation the HASP shall identify and or discuss:
			1. Work objective(s);
			2. Anticipated weather conditions;
			3. Site emergency response plan;
			4. Hazard assessment;
			5. Decontamination;
			6. Examples of physical hazards;
			7. Map of Site.
	4. Sampling Tasks:
		1. Upon the Department’s approval of the SAP, implement and oversee the site investigation.
		2. Collect blanks and duplicates as well as preserving and transporting samples to the laboratory for analysis.
		3. Adhere to the Department SOP: Chain of Custody Protocol (RWM-DR-012), which outlines proper procedures and documentation for data collection.
		4. Ensure the laboratory is Maine accredited for PFAS testing and analyzes water samples for the laboratory’s full list of PFAS parameters using a modified 537.1 LC/MS/MS isotope dilution method, unless specified otherwise in the RFB Scope of Work and Task Order. The maximum number of PFAS capable of being tested by the lab must be included in lab testing, with the sum of six (6) being the absolute minimum.
		5. Adhere to the Department’s sampling standards and be familiar with the following Department policies, procedures, and guidelines, to include but not limited to:
		6. Maine Remedial Action Guidelines for Contaminated Sites (RAGs) (https://www.maine.gov/dep/spills/publications/guidance/);
		7. Bureau of Remediation and Waste Management Standard Operating Procedures (SOPs) (https://www.maine.gov/dep/spills/publications/sops/index.html), including but not limited to the Chain of Custody Protocol, Protocol for Collecting Soil Samples, and Water Sample Collection from Water Supply Wells;
		8. GIS Conventions for PFAS Field Sampling (https://www.maine.gov/dep/ftp/Site-Info-For-Bidders/Supporting-Documents/);

For more information on SOPs, visit the Departments website: https://www.maine.gov/dep/spills/publications/sops/index.html

* 1. Closing Tasks:
		1. Send lab results not exceeding the defined contamination limit defined in the RFB to homeowners with a cover letter explaining the results.
		2. Lab results exceeding the defined contamination limit shall be sent to the Department Project Staff.
		3. Contact the installer of the filter system to request any maintenance needs of impacted residents in lieu of the Department Project Staff;
1. **Routine Monitoring**

Homes with filtration systems installed by the Department due to PFAS contamination require regular filter monitoring, with sampling frequencies determined by the severity of the PFAS contamination in their water supply. Routine Monitoring shall include, but is not limited to:

* 1. Scheduling the sampling of filter systems in accordance with the Department’s frequency schedule. The number of homes and sample frequencies are listed below. The Department Project Coordinator will provide this frequency schedule, along with pertinent site and contact information;

|  |
| --- |
| Number of Filter Systems |
| Annual - Homes less than 300ppt | Biannual – Homes at 300ppt-1000ppt | Bimonthly – Homes above 1000ppt |
| 142 | 31 | 36 |

With potential changes in the Drinking Water Standards, there may be an increase in homes with filtration systems. Providers should have the staff and resources to add additional homes.

* 1. Contacting the laboratory performing the analysis to schedule analysis within the method holding times and obtain all appropriate containers for sampling. Generally, samples shall be collected before, between, and after the filter tanks (*three samples per filter system*), unless specified differently, as determined by the Department;
	2. Sampling the filtration systems per the Department Purging Sample Guide then packing the collected sample containers appropriately for transport (i.e. preserved, on ice, etc.) to the laboratory performing the analysis following Department SOP for Chain of Custody Protocol, DR#012. The Department Purging Sample Guide and Chain of Custody Protocol, DR#012 will be provided to the Awarded Bidder;
	3. Recording field notes and providing the Department with an event report along with general sample collection information;
	4. Reviewing the analytical data following the Department Abbreviated PFAS Data Review Checklist, then submitting sampling data in the Department’s latest version of EDD, and submitting an electronic copy of the lab analysis report including all quality assurance/quality control (QA/QC) data;
	5. Sending lab results not exceeding the defined contamination limit defined in the RFB to homeowners with a cover letter explaining the results. Lab results exceeding the defined contamination limit shall be sent to the Department Project Staff. Awarded Bidders shall contact Filtration System Installation Awarded Bidders to request any maintenance needs of impacted residents in lieu of the Department Project Staff;
	6. When required, contacting the installer of the filter system with maintenance requests, including but not limited to lead/lag changeouts, media replacements, sediment filter deliveries and changeouts, salt deliveries, etc.;
	7. The provider will preemptively acquire 5-mircron sediment filters and 40-lb bags of water softener salt to assist residents with these supply requests should the resident lack these supplies or need assistance with changeouts. The recommended sediment filter is the Pentair brand sediment filters or a brand equivalent that is NSF61 certified. For water softeners, it is recommended to use the brand “Sungems” or a brand equivalent softener containing a crystal salt with iron fighter.
	8. Tracking all activities and providing documentation to the Department, including but not limited to: sample locations, dates samples sent to the laboratory and to residents, details and dates of filter system maintenance activities, and other homeowner or sample location notes.
		1. Reporting will involve the submittal of EDD Data, lab reports, trip reports, tracking sheets, etc., on a monthly basis.
1. **Additional Responsibilities**
	1. Additional responsibilities may include:
		1. Assisting the Department with studies pertaining to PFAS;
		2. Assisting with other site types where PFAS is the suspected contaminant of concern, including, but not limited to: AFFF releases and landfills;
		3. Making all notifications to appropriate agencies and entities before, during. and after initiating site work (Dig Safe, Municipalities, State and Federal Agencies, etc.);
		4. Overseeing hired sub-contractors and ensuring that site work is conducted in accordance with applicable State and Federal laws and regulations; and
		5. Attending, presenting, and/or assisting Department staff at meetings with the public, responsible parties, government officials, or other interested parties.
		6. The nature of PFAS mitigation and remediation is constantly changing. Additional responsibilities may be added to this contract as a result of changing regulatory rules and/or guidance. These responsibilities may include soil and water investigations, change in monitoring frequency, and change in treatment technology.
2. **Evaluation Procedure**

The awarded Bidder will be subject to an assessment and evaluation procedure, at the sole discretion of the Department. Such evaluation will generally consist of project performance assessments at the completion of, or during, the performance of tasks associated with the RFP, or on a periodic basis, as determined by the Department. Department project managers or other Department staff associated with a project may complete such a project performance assessment. This assessment will document the efficiency, competency and professionalism of awarded Bidder’s staff and sub-contractors, and the general satisfaction of the Department with the work performed. These assessment forms will be provided to the awarded Bidder as feedback for their own information and records, if completed, and at the request of the awarded Bidder. The Department may request a meeting between the awarded Bidder and Department staff where the Department can discuss with the awarded Bidder their successes and/or shortcomings while providing feedback. A written assessment of the awarded Bidder’s performance may also be provided, at the Department’s discretion.

**PART III KEY RFP EVENTS**

**I. 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.

**J. 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.

**K. 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.
		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 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# 202411202**  **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 of the content provided in the RFP will, at best, be considered minimally responsive.

Bidders are not to provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Additional materials not requested will not be considered part of the proposal and will not be evaluated. 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.

* 1. **Eligibility Requirements**

Bidders must provide documentation to demonstrate meeting eligibility requirements stated in PART I, C. of the RFP. This documentation includes:

**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 show examples of projects from the past five years which demonstrate their ability to accurately and effectively perform 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. **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.

* 1. **Licensure and Accreditation**

Provide licensure and accreditation for proposed staff as specified in Part II Scope of Services of this RFP.

**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.

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

* 1. **General Instructions**
		1. Bidders must submit a cost proposal that covers the period starting January 1, 2025 and ending on December 31, 2030.
		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. The Proposed Cost should only reflect tasks listed in Part II- Scope of Services to be provided. 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. | **(50 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. | **(25 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. | **(25 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 25 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 25 = pro-rated score

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

* 1. **Negotiations:** The Department reserves the right to negotiate with the awarded Bidder to finalize a contract. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department’s Request for Proposal to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with an awarded Bidder who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.
1. **Selection and Award**
	1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.
	2. Notification of conditional award selection or non-selection will be made in writing by the Department.
	3. Issuance of the RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to the RFP, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
	4. The Department reserves the right to reject any and all proposals or to make multiple awards.
2. **Appeal of Contract Awards**

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

**PART VI CONTRACT ADMINISTRATION AND CONDITIONS**

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

The complete set of standard State of Maine Service Contract documents, along with other forms and contract documents commonly used by the State, may be found on the Office of State 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 A**

**State of Maine**

**Department of Environmental Protection**

**PROPOSAL COVER PAGE**

**RFP# 202411202**

**Fairfield and Benton Area Per- and Polyfluoroalkyl Substances (PFAS) Ongoing Filter Monitoring**

|  |  |
| --- | --- |
| **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 Environmental Protection**

**RESPONSIBLE BIDDER CERTIFICATION**

**RFP# 202411202**

**Fairfield and Benton Area Per- and Polyfluoroalkyl Substances (PFAS) Ongoing Filter Monitoring**

|  |  |
| --- | --- |
| **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 Environmental Protection**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202411202**

**Fairfield and Benton Area Per- and Polyfluoroalkyl Substances (PFAS) Ongoing Filter Monitoring**

|  |  |
| --- | --- |
| **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. Bidders are not required to have direct experience providing PFAS-related services. However, Bidders must meet all requirements in Part 2: Section F, and have adequate knowledge and resources to demonstrate the ability to:**1. Understand the environmental fate and transport processes of PFAS substances in various media;
2. Have knowledge and experience with domestic water treatment systems used to remove contaminants from drinking water;
3. Develop conceptual site models (CSMs) and be able to communicate exposure assessments to members of the public and other project staff;
4. Track and organize large quantities of data and information;
5. Clearly communicate orally and in writing findings, conclusions, and actions, to a wide variety of audiences; and
6. Use appropriate methods and tools to undertake the work.
 |
|  |

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

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

**APPENDIX D**

**State of Maine**

**Department of Environmental Protection**

**COST PROPOSAL FORM**

**RFP# 202411202**

**Fairfield and Benton Area Per- and Polyfluoroalkyl Substances (PFAS) Ongoing Filter Monitoring**

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

Bidders must submit a cost proposal that includes the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements. The proposed cost must be presented as a fixed amount.

The fixed amount will be used to score the cost proposal as defined Part V, B, 3 of the RFP.

 **APPENDIX E**

**State of Maine**

**Department of Environmental Protection**

**SUBMITTED QUESTIONS FORM**

**RFP# 202411202**

**Fairfield and Benton Area Per- and Polyfluoroalkyl Substances (PFAS) Ongoing Filter Monitoring**

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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