**STATE OF MAINE**

**Department of Marine Resources**

*Division of Marine Mammal Research*



**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

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| --- | --- | --- |
| **RFP Coordinator** | **NAME:** | Sarah Leiter |
| **TITLE:** | Marine Resource Scientist III |
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| *All communication regarding the RFP must be made through the RFP Coordinator.* |

|  |  |
| --- | --- |
| **Submitted Questions Due Date** | May 14th, 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:** | May 23rd, 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 Marine Resources**

**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

The State of Maine is seeking proposals for aviation services to support monthly aerial surveys for marine mammals in the Gulf of Maine.

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 May 23rd, 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** |
| **ASET** | Aviation Survival & Egress Training |
| **CFR** | Code of Federal Regulations |
| **COMM** | Communication |
| **Department** | Department of Marine Resources |
| **FAA** | Federal Aviation Administration |
| **FAR** | Federal Aviation Regulations |
| **FOAA** | Freedom of Access Act |
| **GPS** | Global Positioning System |
| **IFR** | Instrument Flight Rules |
| **KRKD** | Knox County Regional Airport |
| **METS** | Modular Egress Training Simulator |
| **MHz** | megahertz |
| **NM** | nautical miles |
| **PIC** | Pilot in Command |
| **RFP** | Request for Proposals |
| **SIC** | Second in Command |
| **State** | State of Maine |
| **Transect** | Predetermined Survey Track Line |
| **VFR** | Visual Flight Rules |
| **VHF** | Very High Frequency |

**State of Maine**

**Department of Marine Resources**

*Division of Marine Mammal Research*

**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Department of Marine Resources (Department) is seeking aviation services for monthly marine mammal surveys in the Gulf of Maine 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 will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Bidder.

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 eligible Bidder shall meet the aircraft, pilot and insurance requirements, and hold the necessary certifications listed below.

* 1. Aircraft Requirements
		1. Multi-engine high wing aircraft (wings mounted above the fuselage)
		2. Minimum of 6 hours operational flight range and a useful load capacity to carry 3 adults (in addition to 2 pilots) and sufficient fuel for a 6-hour mission flight
		3. Capable of sustaining a groundspeed of 100 knots for mission duration
		4. Two unobstructed bubble windows on each side of the aircraft for two seated observers and a window on at least one side of the aircraft that can be opened and accessible to one observer that is large enough for photography
		5. Includes the following equipment:
			1. Full IFR instrumentation with GPS certified for IFR flight
			2. Fully operations and secondary COMM with the ability to transmit in the marine band VHF range (aircraft mounted VHF is accepted)
			3. An automated flight following system with subscription with a standard position reporting interval that does not exceed 2 minutes
			4. AC or DC power with appropriate voltage outlets for powering a Dell Latitude Toughbook Laptop
			5. Intercom
			6. Single-hinged doors (i.e. not clamshell doors) are preferred
		6. Include the following safety equipment:
			1. Shoulder harness and lap belts for front seat occupants
			2. Lap belts for rear seat occupants
			3. Medical Kit
			4. Life Raft suitable for offshore marine conditions with a 5-person capacity that holds a current inspection certificate and contains at minimum 1 survivor locator light, 1 pyrotechnic signaling device, and 1 survival kit
			5. Aircraft mounted 406 MHz Emergency Locator Transmitter utilizing an external antenna, with a panel-mounted remote activation switch
			6. Fire extinguisher: hand-held bottle with a minimum 2-B:C rating mounted and accessible to flight crew
	2. Aircraft Certification Requirements
		1. FAR 14 CFR Part 135 Certification (Preferred)
		2. FAR 14 CFR Part 91 (Acceptable with the following)
			1. Aircraft will be operated and maintained in accordance with its approved FAA Operations Specifications and all portions of FAR 14 CFR Part 91. A copy of the FAA airworthiness certificate and an effective U.S. registration certificate shall be kept in the aircraft at all times and provided to the Department.
			2. Complete and current inspection records detailing compliance with FAR 14 CFR Part 91 shall be provided to the Department
			3. An additional Independent Safety Audit shall be completed and provided to the Department demonstrating that the operation, aircraft and pilots meet or exceed Part 135 standards
			4. Independent Safety Audit shall be completed and provided to the Department following all major structural modifications
	3. Aircraft Maintenance Requirements
		1. Aircraft maintenance shall be required in accordance with [Part 135](https://www.faa.gov/hazmat/air_carriers/operations/part_135) standards, along with all recommended and required maintenance per the manufacturer to include all applicable Airworthiness Directives and all applicable Service Bulletins pertaining to the airframe, engines, propellers and all appliances
		2. A functional maintenance test flight must be performed following any installation, overhaul, major repair, or replacement of the engine, propeller or primary flight controls
	4. Pilot Requirements
		1. Training and Qualifications
			1. All pilots shall complete the ASET1 (or ASET2/ASET3) Aircraft Ditching Course through Survival Systems Inc. in Groton, CT or an equivalent training at a facility that provides a METS aircraft simulator and training for Emergency Breathing Devices, and hold a valid certificate for this training within 5 years
			2. Pilot in Command (PIC) shall hold a commercial pilot rating with the appropriate category, class and type rating (if required) as specified in Part 61 and meet the following minimum flight time requirements:
				1. 1500 hours total flight time, with 100 hours in category
				2. 100 hours in category within the preceding 12 months (preferred)
				3. 1200 hours PIC
				4. 200 hours multi-engine
				5. 100 hours IFR, with 25 hours of actual instrument conditions
				6. 25 hours make and model
				7. 100 hours operation at or below 1000 feet supporting observations, photography, or other natural resource survey (preferred)
				8. Completion of a dedicated course on unusual altitude and spin recovery training (preferred)
			3. Second in Command (SIC) pilots shall hold a commercial pilot rating with the appropriate category, class and type rating (if required) as specified in Part 61, and have a minimum of 500 total flight hours
		2. Certificates
			1. Pilots shall hold Federal Aviation Administration (FAA) unrestricted commercial pilot certificate with the appropriate category, class, type rating and instrument rating (if required) for aircraft.
			2. Pilots shall have had a second class medical certificate issued to them under Part 67 in the preceding 12 months.
			3. Pilots shall meet the currency requirements of 14 CFR 61.57
			4. The following shall be provided to the Department for all pilots who will operate the aircraft during the Period of Performance:
				1. Name
				2. Resume
				3. Certification and ratings
				4. Medical certificates
				5. Hours logged as Pilot in Command (PIC)
				6. IFR hours logged (including hours in actual instrument conditions)
				7. FAA Certificate number
				8. Date of last biennial flight review
				9. Any documented history of violations on file with the FAA
			5. A Letter of Disclosure shall be provided to the Department as proof of health insurance coverage for all pilots who will operate the aircraft during the Period of Performance
		3. Pilot Proficiency
			1. Pilots shall memorize all emergency flight procedures, and memorize the Aircraft Ditching Protocol designed and agreed upon by the Department and the Contractor
			2. Pilots shall be proficient in the operation of all safety equipment, and GPS navigation equipment including installing destination coordinates, recording waypoints while enroute, and navigation between predetermined waypoints
			3. Pilots shall be knowledgeable of low-level and slow (groundspeed 100 knots) flight procedures flying over water including circling a target
	5. Insurance Requirements
		1. Applicable insurances must be active and sufficient to cover the Scope of Work in this RFP (Part II) and the State / Maine DMR must be listed as Additional Insured.
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: Following the initial term of the contract, the Department may opt to renew the contract for additional year-long periods of performance, 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 | June 1st , 2025 | May 31st, 2026 |

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. Aviation Services for Marine Mammal Surveys
	1. Aircraft and Pilots
		1. An aircraft in compliance with the requirements in Part 1 C, Sections 1, 2 & 3 will be provided for a minimum of 15 days per month in each month of the Period of Performance for use by the Department.
			1. Beginning in June 2025, the aircraft will be on standby at/near Knox County Airport (KRKD) and available to conduct aerial surveys for marine mammals for 15 days per month, in each month of the year.
				1. The selection of dates and availability will be coordinated with the Department at least one week in advance of each survey month.
				2. During the survey period each month, an attempt will be made to fly approximately 50 transect lines in the Gulf of Maine totaling no more than 2170 NM and utilizing no more than 35 total flight hours per month.
				3. Flights will be coordinated with the Department to cover each transect line (**APPENDIX G**, **Figure 1**) based on weather conditions during the survey window.
				4. Survey transects will be flown in a Beaufort sea state of 5 or lower.
			2. Aerial surveys shall be conducted under the following parameters:
				1. All mission flights will be conducted in VFR conditions and abiding by all VFR cloud clearance and visibility requirements per FAR 91.155.
				2. Flight operations shall not extend beyond 45 minutes of reserve fuel at a groundspeed of 120 knots.
				3. Flight operations over water shall not extend beyond 1 hour prior to sunset.
		2. Two pilots, one Pilot in Command (PIC) and one Second in Command (SIC) in compliance with the requirements in Part C, Section 4 shall be provided with the aircraft on standby at/near Knox County Airport (KRKD) for 15 days per month. Pilots shall be responsible for communicating with the Department to schedule all survey operations, alerting the Lead Observer to any changes in flight plans or operations, and are responsible for the following duties:
			1. The safety of the aircraft, occupants and cargo
			2. Computing the weight and balance for all flights and for assuring the gross weight and center of gravity do not exceed the aircraft’s limitations
			3. Proper loading and securing of all internal and external cargo
			4. File and operate on a FAA flight plan prior to takeoff
			5. Complete and file a manifest of all crew members and passengers on board, with a copy of the manifest remaining at the point of initial departure
			6. Fueling of the aircraft and maintaining fuel levels in accordance with weight and balance
			7. Brief all passengers in accordance with the items contained in Part 91 prior to each takeoff
			8. Conduct a safety briefing at regular intervals to review the following topics
				1. Aircraft Ditching Protocol
				2. Pilot and passenger responsibilities in emergencies
				3. Locations and operation of safety equipment
				4. Operation of aircraft exits
				5. Assessment of operations and needed improvements
2. Logistics and Equipment
	1. Logistics
		1. Logistics for aircraft transport to Knox County Airport (KRKD), hangar storage, and fueling operations will be the responsibility of the Bidder.
		2. Logistics for pilot transport, lodging, and associated travel requirements will be the responsibility of the Bidder.
	2. Equipment
		1. Equipment and Services for flight following, and the provision of access for Department personnel to a flight following program will be the responsibility of the Bidder.
		2. Safety equipment listed in Part 1 C, Section 1, f, above, and maintenance will be the responsibility of the Bidder.

**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.
		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# 202503042 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.

**Appendix F** (Aircraft Requirements Form)

* **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.

* 1. **Eligibility Requirements**

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

Section 1: Aircraft Requirements

* Description of the aircraft that will be provided for marine mammal surveys, including the make, model, tail number, and photographs of the interior and specified window configurations.
* The completed aircraft requirements table in **APPENDIX F.**

Section 2: Aircraft Certification

* FAR 14 CFR Part 135 Certification
* OR documentation of FAR 14 CFR Part 91, as described in Part I, C, Section 2, i.-iv.

Section 3: Aircraft maintenance records for the last 2 years, including any maintenance test flight records, shall be provided for all aircraft that will be utilized during the Period of Performance

Section 4: The following shall be provided for all pilots that will fly the aircraft during the Period of Performance.

* Aircraft Ditching Course Certificate
* Unrestricted Commercial Pilot Certificate
* All items listed under Part I, C, Section 4, iv, 1-9
* Letter of Disclosure as proof of health insurance coverage

Section 5: Certificate of Insurance, Proof of Insurance

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

* + 1. Balance Sheets
		2. Income (Profit/Loss) Statements
	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. This documentation may include: FAR 14 CFR Part 135 Certification and Pilot Licenses/Certifications.

* 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 the provision of services 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 providing services for completion of monthly aerial surveys for marine mammals in the Gulf of Maine, including an example schedule of aircraft and pilot availability for a given survey month. Project personnel and their roles in the implementation of the work plan should be described. If the Bidder holds other current contracts that may be a conflict for availability, those limitations to availability should be detailed here. 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 June 1st, 2025 and ending on May 31st, 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.

At least, the following line items should be outlined in the cost proposal:

* Aircraft Standby Rate (monthly or daily) based on a minimum of 15 days per month
* Aircraft Flight Rate (hourly) based on a maximum of 35 total flight hours per month
* Pilot Standby Rate (monthly or daily) based on a minimum of 15 days per month
* Pilot Flight Rate (hourly) based on a maximum of 35 total flight hours per month

**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 the 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. | **(60 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. | **(15 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 Questions Form

**Appendix F** – Aircraft Requirements Form.

**Appendix G** – Figure 1: Maine Survey Transects

**APPENDIX A**

**State of Maine**

**Department of Marine Resources**

**PROPOSAL COVER PAGE**

**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

|  |  |
| --- | --- |
| **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 Marine Resources**

**RESPONSIBLE BIDDER CERTIFICATION**

**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

|  |  |
| --- | --- |
| **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 Marine Resources**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202503042**

**Aviation Services for Marine Mammals Surveys**

|  |  |
| --- | --- |
| **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 Marine Resources**

**COST PROPOSAL FORM**

**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |
| **Proposed Cost:** | **$**  |
| **Line Items** |
| **Aircraft Standby Rate** |  |
| **Aircraft Flight Rate** |  |
| **Pilot Standby Rate** |  |
| **Pilot Flight Rate** |  |
| **(Other)** |  |
| **(Other)** |  |
| **(Other)** |  |

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 (line 2) must be presented as a total proposed cost for the entire Period of Performance. Line items within the cost proposal form may be presented as hourly, daily or monthly rates, as applicable to the line items listed. Additional line items may be added to increase cost transparency. The cost proposal should include a detailed break down that shows how the proposed cost has been reached.

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

 **APPENDIX E**

**State of Maine**

**Department of Marine Resources**

**SUBMITTED QUESTIONS FORM**

**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

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 Marine Resources**

**AIRCRAFT REQUIREMENTS FORM**

**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

This form should be used by Bidders when submitting a proposal to confirm the necessary aircraft requirements are met. If multiple aircraft will be utilized, this page may be duplicated for each aircraft that will be utilized during the Period of Performance.

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

|  |  |
| --- | --- |
| **Aircraft** | **Details** |
| Make/Model |  |
| Tail Number |  |

|  |  |  |
| --- | --- | --- |
| **Requirement** | **Aircraft Meets Requirement Y/N?** | **Details** |
| Multi Engine, High-Wing |  |  |
| Required Capacity (Part 1, C, 1, b) |  |  |
| 100 knot Groundspeed Capable |  |  |
| Dual Bubble Windows |  |  |
| Opening Photography Window |  |  |
| **Equipment / Safety Equipment** |
| IFR Instrumentation |  |  |
| GPS Certified for IFR Flight |  |  |
| Operations & Secondary COMM, VHF Capable or Mounted VHF |  |  |
| Automated Flight Following  |  |  |
| AC/DC Power / Outlet for Laptop |  |  |
| Intercom |  |  |
| Single-Hinge Exit Door(s) |  |  |
| Shoulder Harness / Lap (front) |  |  |
| Lap Belts (rear) |  |  |
| Medical Kit |  |  |
| Life Raft (Part 1, C, 1, f, iv) |  |  |
| ELT with Antenna / Panel-Mounted Activation Switch |  |  |
| Fire Extinguisher  |  |  |

**State of Maine**

**Department of Marine Resources**

**Figure 1: MAINE SURVEY TRANSECTS**

**RFP# 202503042**

**Aviation Services for Marine Mammal Surveys**

Figure 1 depicts the current survey transects utilized for marine mammal surveys in the Gulf of Maine by the Department. These transects may be altered depending on Department research needs, and 3 additional transects extending into the New Hampshire waters. In the case of changing or added survey transects, the total mileage and flight hours summarized in Part II, Scope of Work will not be exceeded, as they include these forecasted changes and additions.

