**STATE OF MAINE**

**Department of Corrections**



**RFP# 202505072**

**Wholesale Distribution for Resident Annexes**

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

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| --- | --- |
| **Submitted Questions Due Date** | June 4, 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:** | June 13, 2025, no later than 11:59 p.m., local time. |
| **TO:** | [Proposals@maine.gov](mailto:Proposals@maine.gov) |
| *Proposals must be received electronically by the Office of State Procurement Services by the date and time listed above.* | | |

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PUBLIC NOTICE

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**State of Maine**

**Department of Corrections**

**RFP# 202505072**

**Wholesale Distribution for Resident Annexes**

The State of Maine is seeking proposals for wholesale food distributors to supply its correctional facility marketplaces with a consistent and diverse selection of convenience store food, tobacco, beverages and personal products. These items will be sold to incarcerated residents located at facilities across the State 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](mailto:Proposals@maine.gov). Proposal submissions must be received no later than 11:59 p.m., local time, on June 13, 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** |
| **Bidder** | Vendor who responds to the RFP |
| **Department** | Department of Corrections |
| **MDOC** | Maine Department of Corrections |
| **RFP** | Request for Proposals |
| **State** | State of Maine |

**State of Maine**

**Department of Corrections**

**RFP# 202505072**

**Wholesale Distribution for Resident Annexes**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Department of Corrections (Department) is seeking wholesale food and property distributors as defined in this Request for Proposals (RFP) document. The requested service aligns with the Department’s mission to provide for the physical, emotional, and spiritual well-being of individuals under its care while fostering opportunities for rehabilitation and personal growth. By providing access to regulated and approved convenience store items, this service supports the Department's goal of promoting self-sufficiency, meeting basic needs, and enhancing quality of life for residents.

As part of its rehabilitative approach, the Department seeks to provide residents with access to essential and allowable personal property items reflecting life in the community. The Department seeks to optimize availability, transparency, and quality control by formalizing a standardized supply process. This initiative is designed to improve efficiency while adhering to the Department’s policies on allowable property.

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**

All interested parties are invited to submit bids in response to this Request for Proposals, subject to appropriate state licensing requirements upon contract award.

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 two renewal periods, as shown in the table below, and subject to continued availability of funding and satisfactory performance.

The term of the anticipated contract, resulting from the RFP, is defined as follows:

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Initial Period of Performance | August 1, 2025 | July 30, 2028 |
| Renewal Period #1 | August 1, 2028 | July 30, 2029 |
| Renewal Period #2 | August 1, 2029 | July 30, 2030 |

1. **Number of Awards**

The Department anticipates making multiple awards as a result of this RFP process. Bidders may bid on one or more of the product Categories named under Part II(B) of this RFP. The Department reserves the right to make multiple awards within each Category.

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

The Department is seeking proposals from qualified vendors to supply items for correctional facility annexes, where incarcerated residents may purchase items similar to convenience store offerings. The Department intends to contract with multiple vendors to ensure a consistent supply of products to facilities across the State of Maine. These contracts will require comprehensive statewide service, including distribution and delivery to all State of Maine correctional facilities, without any geographical limitations. The selected Bidder(s) are responsible only for providing product to the facility annexes.

### Scope of Work

1. **Product Supply and Distribution**
   1. The selected Bidder(s) will provide a broad range of items including food, beverages, personal care products, tobacco products, and household essentials for purchase by incarcerated residents.
   2. The selected Bidder(s) must maintain sufficient inventory levels to ensure timely delivery of orders, regardless of size. (See item #8 for “lead time” requirements.)
   3. The selected Bidder(s) will affirm that all proposed products are available at each of the locations described below.
2. **Locations and Average Daily Population**

The Department requires services at the following statewide MDOC locations:

* 1. Maine Correctional Center, 427 residents (324 men, 103 women)– 17 Mallison Falls Road, Windham, ME
  2. Women’s Reentry Center, 86 residents – 230 River Road, Windham, ME
  3. Maine State Prison, 810 residents – 807 Cushing Road, Warren, ME
  4. Bolduc Correctional Facility, 216 residents– 516 Cushing Road, Warren, ME
  5. Mountain View Correctional Facility, 318 residents – 1182 Dover Road, Charleston, ME
  6. Downeast Correctional Facility, 43 residents – 64 Base Road, Machiasport, ME

1. **Sales Data**
   1. The Department currently generates approximately $1,200,000 in annual revenue across all facilities in its independently run annex stores. This contract amount does not include commissary services provided by a third-party vendor. This is not a guarantee of sales.
   2. The Department will sell the purchased items to residents with a commission increase, to be paid by the residents. Awarded vendors will not sell items directly to Maine DOC residents.
2. **Sales Representation**
   1. The selected Bidder(s) shall designate a company sales representative for each correctional facility covered under the awarded contract. A sales representative may be assigned multiple facilities under a contract.
   2. The sales representative shall be available Monday through Friday from 8:00 a.m. to 4:00 p.m., excluding State holidays. A live person must be available during these hours; automated voicemail systems are not acceptable.
   3. The designated sales representative will be responsible for resolving contract-related issues pertaining to cost of items, delivery, product supply and availability.
3. **Ordering**
   1. Bidders should describe their ordering processes and associated time frames in detail in their proposal submission. Bidder(s) that have more automated ordering processes, such as ordering through an online portal or other process which reduces paper ordering, will be given preference.
4. **Discontinued Items and Substitutions**
   1. The State reserves the right to source items from other vendors if the selected Bidder(s) discontinues a product, without being required to use the selected Bidder's suggested replacement.
   2. Substitutions must be approved by the State or the participating facility prior to delivery. All substitutes must be of equal or better quality and must not exceed the original contract price.
   3. If substitutions are not approved in advance, the facility may refuse the substituted product upon delivery.
5. **Delivery Requirements**
   1. The selected Bidder(s) shall coordinate deliveries with each facility to ensure adherence to specific delivery guidelines.
   2. All deliveries must be verified and signed off by designated facility personnel. Delivery invoices that are not signed will not be processed for payment.
6. **Samples**
   1. The State reserves the right to request product samples at any time during the contract period for examination and testing.
   2. Samples must be clearly labeled and identical to the product being offered under the contract. All samples must be provided at no cost to the State.
7. **Lead Time**
   1. "Lead time" is defined as the period between the placement of an order and delivery to the requesting facility. Vendors must provide lead times that ensure consistent product availability. The general expectation will be to have deliveries completed within one (1) week after the initial order date.
   2. Delivered product must have a minimum of three (3) weeks of shelf life after the delivery date.
8. **Product Specifications and Pricing**
   1. Detailed product specifications will be provided to awarded vendors by each facility after the award of the contract. There are no specific brand or packaging requirements. For references purposes, Bidders may view the Department's [Resident Allowable Property (10.1)](https://www.maine.gov/corrections/sites/maine.gov.corrections/files/inline-files/56725186.pdf), [Allowable Property List for Female (Adult) Residents](https://www.maine.gov/corrections/sites/maine.gov.corrections/files/inline-files/10%2001%20Attachment%20A%20Allowable%20Property%20List%20Female%20Residents_6.pdf) and [Allowable Property List for Male (Adult) Residents](https://www.maine.gov/corrections/sites/maine.gov.corrections/files/inline-files/10%2001%20Attachment%20A%20Allowable%20Property%20List%20Male%20Residents_3.pdf).
   2. For each category being bid upon, Bidders must indicate the current selling price of each item they are proposing to sell as of the date of this RFP publication. (Note: Please refer to Part IV Section IV of this RFP for details about completing the Cost Proposal.)
   3. While product prices may fluctuate based on market conditions, the percentage discount and volume discount offered by the Bidder(s) must remain consistent throughout the contract period.
   4. The selected Bidder(s) must ensure that any price changes are communicated promptly to the State, and all pricing information must be transparent and easily accessible.
   5. All food containers and other product packaging must be free of metal components. This includes lids, seals, and internal linings. Metal-containing packaging will not be accepted due to facility security protocols.

### Product Categories

Bidders may submit proposals for one or multiple product categories. There will be no preference given based on the number of categories upon which a Bidder bids. Provided below is a sample list of the types of products/categories the Department seeks to offer. This does not represent an exhaustive list of desired food and property items. Bidders must provide a comprehensive ordering catalog listing all available products as of May 1, 2025.

1. **Ready and Snack Food**
   1. Protein Bars, 20g Protein, Gluten Free, 1.8 oz.
   2. Instant Coffee (8 oz.)
   3. Powdered Drink Mix (16 oz.)
   4. Tuna (5 oz.)
   5. Peanut Butter (16 oz.)
   6. Instant Oatmeal Packets (1.5 oz. each, box of 10)
   7. Granola Cereal (12 oz.)
   8. Ramen Noodles (3 oz.)
   9. Snack Crackers (12 oz.)
   10. Trail Mix (8 oz.)
   11. Dried Fruit (6 oz.)
   12. Mac 'n Cheese (Microwaveable, 8 oz.)
2. **Ice Cream**
   1. Chocolate Ice Cream (Pint)
   2. Ice Cream Sandwich (Individual)
   3. Chocolate-Dipped Ice Cream Bar
   4. Mixed Berry Frozen Yogurt (Pint)
3. **Beverages**
   1. Sports Drink (20 oz.)
   2. Iced Tea (16 oz.)
   3. Cola (16.9 oz. bottle)
   4. Juice Box (8 oz.)
4. **Health and Personal Care Items**
   1. Toothpaste (6 oz.)
   2. Shampoo (12 oz.)
   3. Bar Soap (4 oz.)
   4. Disposable Razors (Pack of 5)
5. **Tobacco Products**
   1. Cigarette Packs
   2. Vape pens and cartridges – Vape pens must be designed specifically for correctional facility use. All devices must include tamper-proof and adhesive security seals to prevent misuse. Vape pens and cartridges must be free of metal components, both externally and internally. Additionally, they must utilize low-voltage batteries that are incapable of starting fires or charging other electronic devices. Only secure, single-use or limited-use models will be accepted.
6. **Household Items**
   1. Laundry Detergent Powder (40 oz.)
   2. Toilet Paper
   3. AA Batteries (Pack of 4)
   4. Writing Pads (8.5" x 11", 50 sheets)
   5. Ballpoint Pens (Pack of 10) Soap boxes
7. **Electronics**
   1. 24" High Definition Television
   2. Internet-Disabled Video Game Console
8. **Religious and Personal Items**
   1. Prayer Rug
   2. Silver Crucifix
   3. Prayer Oil (1 oz)

**PART III KEY RFP EVENTS**

1. **Questions**
   1. **General Instructions:** It is the responsibility of all Bidders and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.
      1. Bidders and other interested parties should use **Appendix E** (Submitted Questions Form) for submission of questions. If used, the form is to be submitted as a WORD document.
      2. Questions must be submitted, by e-mail, and received by the RFP Coordinator identified on the cover page of the RFP as soon as possible but no later than the date and time specified on the RFP cover page.
      3. The RFP Number and Title must be included in the subject line of the e-mail containing the submitted questions. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.
   2. **Question & Answer Summary:** Responses to all questions will be compiled in writing and posted on the following website no later than seven (7) calendar days prior to the proposal due date: [Office of State Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). It is the responsibility of all interested parties to go to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.
2. **Amendments**

All amendments released in regard to the RFP will also be posted on the following website: [Office of State Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). It is the responsibility of all interested parties to go to this website to obtain amendments. Only those amendments posted on this website are considered binding.

1. **Proposal Submission**
   1. **Proposals Due:** Proposals must be received no later than 11:59 p.m. local time, on the date listed on the cover page of the RFP.
      1. Any e-mails containing original proposal submissions or any additional or revised proposal files, received after the 11:59 p.m. deadline, will be rejected without exception.
   2. **Delivery Instructions:** E-mail proposal submissions must be submitted to the Office of State Procurement Services at [Proposals@maine.gov](mailto:Proposals@maine.gov).
      1. Only proposal submissions received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
         1. Proposal submission e-mails that are successfully received by the [proposals@maine.gov](mailto:proposals@maine.gov) inbox will receive an automatic reply stating as such.
      2. E-mails containing links to file sharing sites or online file repositories will not be accepted as submissions. Only e-mail proposal submissions that have the actual requested files attached will be accepted.
      3. Encrypted e-mails received which require opening attachments and logging into a proprietary system will not be accepted as submissions. Bidders should work with their Information Technology team to ensure that the proposal submission will not be encrypted due to any security settings.
      4. File size limits are 25MB per e-mail. Bidders may submit files separately across multiple e-mails, as necessary, due to file size concerns. All e-mails and files must be received by the due date and time listed above.
   3. **Submission Format:**
      1. Bidders are to insert the following into the subject line of their e-mail proposal submission: **“RFP# 202505072 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:**

*Excel 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.

**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. **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.

Awarded providers for tobacco products must obtain appropriate licensure found here: <https://licensing.web.maine.gov/cgi-bin/online/licensing/begin.pl?board_number=2450>

* 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**
     1. 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.
     2. Bidders must provide a catalog of available products as of May 1, 2025 as described in Part II, B of the RFP. Catalogs may be submitted in electronic format (e.g., PDF, Excel) with the proposal submission, or mailed to the Maine Department of Corrections at: RFP Coordinator, Maine Department of Corrections, 25 Tyson Drive 111 State House Station, Augusta, ME 04333.
        1. Catalogues must be received by the proposal due date as indicated on the cover page of this RFP.
        2. If mailing the catalog, Bidders must provide three (3) copies.

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

* 1. **General Instructions**
     1. Bidders must submit a cost proposal that covers the period starting August 1, 2025, and ending on July 30, 2028.
     2. The cost proposal must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.
     3. No costs related to the preparation of the proposal for the RFP, or to the negotiation of the contract with the Department, may be included in the proposal. Only costs to be incurred after the contract effective date that are specifically related to the implementation or operation of contracted services may be included.
  2. **Cost Proposal Form Instructions**

Bidders must fill out **Appendix D** (Cost Proposal Form), following the instructions detailed here and in the form. Failure to provide the requested information, and to follow the required cost proposal format provided, may result in disqualification or reduction in scoring of the cost proposal, at the discretion of the Department.

**PART V PROPOSAL EVALUATION AND SELECTION**

Evaluation of the submitted proposals will be accomplished as follows:

1. **Evaluation Process – General Information**
   1. An evaluation team, composed of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP.
   2. Officials responsible for making decisions on the award selection will ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Bidder whose proposal provides the best value to the State of Maine.
   3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders, if needed, to obtain clarification of information contained in the proposals received. The Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations.
   4. Changes to proposals, including updating or adding information, will not be permitted during any portion of the evaluation process. Therefore, Bidders must submit proposals that present their rates and other requested information as clearly and completely as possible.
2. **Scoring Weights and Process**
   1. **Scoring Weights:** Proposal scores will be based on a 100-point scale and will measure the degree to which each proposal meets the following criteria:

|  |  |  |
| --- | --- | --- |
| **Section I.** | **Preliminary Information**  Proposal materials to be evaluated in this section: all elements addressed in Part IV, Section I of the RFP. | **No Points** |
| **Section II.** | **Organization Qualifications and Experience** Proposal materials to be evaluated in this section: all elements addressed above in Part IV, Section II of the RFP. | **30 points** |
| **Section III.** | **Proposed Services**  Proposal materials to be evaluated in this section: all elements addressed above in Part IV, Section III of the RFP. | **40 points** |
| **Section IV.** | **Cost Proposal**  Proposal materials to be evaluated in this section:all elements addressed above in Part IV, Section IV of the RFP. | **30 total points** |

* 1. **Scoring Process:** For proposals that demonstrate meeting the eligibility requirements in Section I, if applicable, the evaluation team will use a consensus approach to evaluate and score Sections II & III above. Members of the evaluation team will not score those sections individually but, instead, will arrive at a consensus as to assignment of points for each of those sections. Section IV, the Cost Proposal, will be scored as described below.
  2. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in the RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded 30 points. Proposals with higher bid values will be awarded proportionately fewer points calculated in comparison with the lowest bid.

The scoring formula for each Category is:

**(Median discount being scored / Highest median discount) x 10 = pro-rated score**

**(Lowest Total Unit Price / Total Unit Price being scored) x 20 = 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 Master Agreement 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. Payments to the awarded Bidder(s) will be paper checks. 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 A**

**State of Maine**

**Department of Corrections**

**PROPOSAL COVER PAGE**

**RFP# 202505072**

**Wholesale Distribution for Resident Annexes**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **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 Corrections**

**RESPONSIBLE BIDDER CERTIFICATION**

**RFP# 202505072**

**Wholesale Distribution for Resident Annexes**

|  |  |
| --- | --- |
| **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 Corrections**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202505072**

**Wholesale Distribution for Resident Annexes**

|  |  |
| --- | --- |
| **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 Corrections**

**COST PROPOSAL FORM**

**RFP# 202505072**

**Wholesale Distribution for Resident Annexes**

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

Bidders must submit a cost proposal that includes product pricing necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements. Using the Bidder’s responses provided on the Excel spreadsheet embedded below, scoring of Cost Proposal will be based on the total cost(s) and average discount proposed within each product Category.

* The total unit cost(s) and median discount proposed within each Category proposed will be used to score the cost proposal as outlined in Part V, B, 3 of the RFP.
* Bidders may offer pricing in one or more Categories, including all Categories if Bidder so chooses. Scoring of costs will be done separately within each category.
* **Each Category upon which Bidder proposes to bid, Bidder must enter a value for each item within that category on Section 2 of the Cost Proposal**. If Bidder does not have the item, the closest equivalent item for each line must be included.
* Multiple awards are anticipated and the costs proposed in one Category will not affect scoring of the other categories.

Please complete Sections 1 and 2 on the embedded Excel sheet. (Further instructions are provided on the Excel sheet.)

**Click here to complete Cost Proposal Form:**

****

**APPENDIX E**

**State of Maine**

**Department of Corrections**

**SUBMITTED QUESTIONS FORM**

**RFP# 202505072**

**Wholesale Distribution for Resident Annexes**

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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