**STATE OF MAINE**

**Department of Marine Resources**

*Maine Coastal Program*



**RFP# 202505076**

**Inventory of Critical Maine Working Waterfronts**

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| **RFP Coordinator** | **NAME:** | Melissa Britsch |
| **TITLE:** | Senior Planner |
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| *All communication regarding the RFP must be made through the RFP Coordinator.* |

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| --- | --- | --- |
| **Bidders’ Conference** | **DATE:** | July 16  |
| **TIME:** | 10:00 AM |
| **LOCATION:** | [Meeting Link](https://teams.microsoft.com/l/meetup-join/19%3Ameeting_ZmE1OTllMGUtNzI0NC00ZjVjLTkzM2QtMzQzMmI5ZTRkYjFk%40thread.v2/0?context=%7b%22Tid%22%3a%22413fa8ab-207d-4b62-9bcd-ea1a8f2f864e%22%2c%22Oid%22%3a%226e6dcf7b-2ca3-452c-badc-b6925a9619f6%22%7d) |

|  |  |
| --- | --- |
| **Submitted Questions Due Date** | July 16, 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:** | August 4, 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# 202505076**

**Inventory of Critical Maine Working Waterfronts**

The State of Maine is seeking proposals for a statewide inventory and analysis of public and private working waterfronts in Coastal Maine that are critical to the state’s economy. This is intended as a high-level analysis to be completed by the end of 2025.

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

A Bidders’ Conference will be held on July 16 at 10:00 AM at the following location: Microsoft Teams Meeting ([Meeting Link](https://teams.microsoft.com/l/meetup-join/19%3Ameeting_ZmE1OTllMGUtNzI0NC00ZjVjLTkzM2QtMzQzMmI5ZTRkYjFk%40thread.v2/0?context=%7b%22Tid%22%3a%22413fa8ab-207d-4b62-9bcd-ea1a8f2f864e%22%2c%22Oid%22%3a%226e6dcf7b-2ca3-452c-badc-b6925a9619f6%22%7d))

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 August 4, 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** |
| **Department** | Department of Marine Resources |
| **IRRC** | Governor’s Infrastructure Rebuilding and Resilience Commission |
| **MCP** | Maine Coastal Program |
| **RFP** | Request for Proposals |
| **State** | State of Maine |
| **WWF** | Working Waterfront |

**State of Maine**

**Department of Marine Resources**

*Maine Coastal Program*

**RFP# 202505076**

**Inventory of Critical Maine Working Waterfronts**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Department of Marine Resources, Maine Coastal Program (Department) is seeking proposals from a qualified consultant or consulting team to produce a statewide inventory and analysis of public and private working waterfronts in coastal Maine that are critical to the State’s marine economy as defined in this Request for Proposals (RFP) document. This is intended as a high-level analysis to be completed by the end of 2025, with the possibility of a six-month extension until June 2026. 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.

Maine Coastal Program, a division of the Maine Department of Marine Resources (DMR) is a state program charged with balancing the conservation and development of Maine’s “coastal zone,” defined as all municipalities, unorganized territories, townships, plantations, and tribes where adjacent water bodies experience tidal influence. Coastal access, sustainable coastal economic development and ensuring the vibrancy of working waterfronts and harbors are primary goals of the Maine Coastal Program. This RFP is being released to help support Maine’s working waterfronts, as outlined in Maine Coastal Program’s approved workplan for state fiscal year 2025.

Access to working waterfronts is essential for the long-term success of Maine’s marine economy. However, Maine’s working waterfronts are facing many social, environmental, and economic challenges, and working waterfronts continue to disappear over time. There are many organizations working to protect working waterfronts and ensure access remains available, but a lack of current statewide data about working waterfronts is consistently listed as a challenge for communicating the scale of loss, prioritizing investment, and planning for future needs. Maine needs high-level data quickly to address these issues, even if that information does not encompass all working waterfronts. The working waterfront inventory being requested in this RFP will build on momentum from the release of the Governor’s Infrastructure Rebuilding and Resilience Commission (IRRC) [final report](https://www.maine.gov/future/sites/maine.gov.future/files/inline-files/Maine%20Infrastructure%20Resilience%20Plan_May2025.pdf), as well as sustained inventory efforts to gather comprehensive local data about working waterfronts and local needs. This RFP is for work to gather statewide data on a subset of working waterfront types in a relatively short period of time.

Maine Coastal Program anticipates that this work will occur over the full duration of the contract, ending no later than December 31, 2025, with the possibility of a six-month extension until June 2026.

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. **Contract Term**

The Department is seeking cost-efficient proposals to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. The dates below are estimated and may be adjusted, as necessary, in order to comply with all procedural requirements associated with the RFP and the contracting process. The actual contract start date will be established by a completed and approved contract.

Contract Renewal: The Department does not anticipate that the contract will be renewed.

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

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Initial Period of Performance | 09/02/2025 | 12/31/2025 |

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. **OVERVIEW & DELIVERABLES**
	1. Create replicable process and methodology for identifying working waterfronts and intertidal access points statewide (hereafter referred to as “working waterfronts”) that are critical to Maine’s marine economy. (**Deliverable 1)**
		1. These could include, but are not limited to, working waterfronts that have economic value, geographic relevance, serve vulnerable populations, or have potential to meet future water access and marine economy needs. Multiple types of working waterfronts (private wharves, co-ops, public facilities, access paths, etc.) with different types of ownership and protection (i.e. covenants or restrictive zoning) and serving different purposes should be considered. The criteria will also consider vulnerability, as working waterfronts are vulnerable to many social, environmental, and economic factors.
			1. Site-specific vulnerability analyses are outside the scope of this project, but criteria for listing and comparing the types of vulnerabilities should be included.
		2. The awarded Bidder will work with the Department’s steering committee to finalize these criteria.
	2. Conduct a statewide inventory of a subset of critical working waterfronts (**Deliverable 2**). This inventory will help prioritize investments of currently available funding, as well as provide estimates of the total number and location of critical working waterfronts statewide and a description of the social, environmental, and economic vulnerabilities they face.
		1. The awarded Bidder will work with the Department’s advisory team to identify the subset of working waterfront types to inventory.
		2. The inventory should consider working waterfronts statewide and include both publicly- and privately-owned locations.
			1. A comprehensive statewide inventory of all working waterfronts is not possible with the available funding and time constraints.
			2. The Department anticipates that approximately $40,000 will be available for this effort.
		3. The inventory should address the information and funding needs described in the Governor’s Infrastructure Rebuilding and Resilience Commission (IRRC) [Report recommendations](https://www.maine.gov/future/sites/maine.gov.future/files/inline-files/Maine%20Infrastructure%20Resilience%20Plan_May2025.pdf).
	3. Provide cost and time estimates to do similar statewide inventories of other types of working waterfronts if additional funding becomes available (**Deliverable 3**).
	4. Create a final report and spatial data about the inventoried sites that can be shared publicly, as well as recommended methods for updating and expanding the data periodically (**Deliverable 4**).
		* 1. Data sharing agreements may be established if there are concerns about sharing locations of privately-owned sites. However, the expectation is that most of the data can be shared publicly and information that is hidden will be shared in a summarized format.
			2. Locations and summary information will be presented statewide and at smaller regional scales.
	5. The inventory will help the Department and other partners at the State of Maine understand:
		1. The process and methodology to inventory critical working waterfronts.
		2. The amount of time and resources that would be needed to conduct additional statewide inventories for types of working waterfronts not covered by this inventory.
		3. The locations of critical working waterfronts.
			1. If the exact location of privately-owned working waterfronts can’t be shared, the general location (municipality or bay) should be identified.
		4. The types of vulnerabilities these properties face.
	6. For the purposes of this project, "working waterfront" means a parcel of land abutting water subject to tidal influence or land located in the intertidal zone that is used primarily or predominantly to provide access to or support the conduct of commercial fishing and marine activities ([Title 36, §1132: Definitions](https://www.mainelegislature.org/legis/statutes/36/title36sec1132.html)).
	7. The inventory must cover the entire Maine coast and some amount of travel may be necessary to locate and evaluate critical working waterfronts. The remaining work may be performed at the awarded Bidder’s own facility. No state facilities will be needed to complete this project.
	8. The final deliverables will be provided on or before the end of the contract period, which ends on 12/31/2025.
2. **COLLABORATION & COMPATIBILITY**
	1. The awarded Bidder will be guided by a steering committee of industry leaders and Department staff to advise and support their work.
		1. The advisory team will review the criteria for defining critical working waterfronts (**Deliverable 1**) and help determine the subset to inventory (**Deliverable 2**).
	2. The awarded Bidder is expected to share regular progress updates with the steering committee.
	3. The awarded Bidder will be expected to build on existing resources and datasets. Department data will be shared as needed.
		1. The awarded Bidder will coordinate with the Department to ensure data can be compatible with other priority efforts and is publicly shareable.

**PART III KEY RFP EVENTS**

1. **Bidders’ Conference**

The Department will sponsor a Bidders’ Conference concerning the RFP beginning at the date, time and location shown on the RFP cover page. The purpose of the Bidders’ Conference is to answer and/or field questions, clarify for potential Bidders any aspect of the RFP requirements that may be necessary and provide supplemental information to assist potential Bidders in submitting responses to the RFP. Although attendance at the Bidders’ Conference is not mandatory, it is strongly encouraged that interested Bidders attend.

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# 202505076 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)

* **File 2 [Bidder’s Name] – Organization Qualifications and Experience:**

*PDF format preferred*

**Appendix C** (Organization Qualifications and Experience Form) and all required information and attachments stated in PART IV, Section II.

* **File 3 [Bidder’s Name] – Proposed Services:**

*PDF format preferred*

All required information and attachments stated in PART IV, Section III.

* **File 4 [Bidder’s Name] – Cost Proposal:**

*PDF format preferred*

**Appendix D** (Cost Proposal Form) and all required information and attachments stated in PART IV, Section IV.

**PART IV PROPOSAL SUBMISSION REQUIREMENTS**

This section contains instructions for Bidders to use in preparing their proposals. The Department seeks detailed yet succinct responses that demonstrate the Bidder’s qualifications, experience, and ability to perform the requirements specified throughout the RFP.

Bidders’ proposals must follow the outline used below, including the numbering, section, and sub-section headings. Failure to use the outline specified in PART IV, or failure to respond to all questions and instructions throughout the RFP, may result in the proposal being disqualified as non-responsive or receiving a reduced score. The Department, and its evaluation team, has sole discretion to determine whether a variance from the RFP specifications will result either in disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in the RFP will, at best, be considered minimally responsive.

Bidders are not to provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Additional materials not requested will not be considered part of the proposal and will not be evaluated. Bidders must include any forms provided in the submission package or reproduce those forms as closely as possible. All information must be presented in the same order and format as described in the RFP.

**Proposal Format and Contents**

**Section I Preliminary Information** (File #1)

* 1. **Proposal Cover Page**

Bidders must complete **Appendix A** (Proposal Cover Page). It is critical that the cover page show the specific information requested, including Bidder address(es) and other details listed. The Proposal Cover Page must be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

* 1. **Responsible Bidder Certification**

Bidders must complete **Appendix B** (Responsible Bidder Certification). The Responsible Bidder Certification must be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

**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.

* 1. **Certificate of Insurance**

Bidders must provide a certificate of insurance on a standard ACORD form (or the equivalent) evidencing the Bidder’s general liability, professional liability and any other relevant liability insurance policies that might be associated with the proposed services.

**Section III Proposed Services** (File #3)

* 1. **Services to be Provided**

Bidders must discuss the Scope of Services referenced above in Part II of the RFP and what the Bidder will offer, including a description of the methods and resources the Bidder will use and how each task involved will be accomplished, and the personnel who will be involved. Please elaborate on this for each Deliverable. and explain how the Bidder will ensure the project data are compatible with existing datasets and can remain useful in the future. Please explain the resources/guidance from the steering committee that are anticipated to be needed to successfully produce the deliverables in this RFP. Bidders must also describe how the expectations and/or desired outcomes as a result of these services will be achieved. If subcontractors are involved, Bidders must clearly identify the work each will perform.

* 1. **Implementation - Work Plan**

Bidders must provide a realistic work plan for the implementation of the program through the first contract period. The work plan must be displayed in a timeline chart, and concisely describe each program development and implementation task, the month it will be carried out, and the person or position responsible for each task. If applicable, Bidders must identify all tasks to be delegated to subcontractors. For the workplan, please account for time for the steering committee to review the first deliverable and to discuss the inventory for the second deliverable.

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

* 1. **General Instructions**
		1. Bidders must submit a cost proposal that covers the period starting September 2, 2025, and ending on December 31, 2025.
		2. The cost proposal must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.
		3. As part of the cost proposal, bidders must provide cost and time estimates to do similar statewide inventories of other types of working waterfronts if additional funding becomes available.
		4. 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. | **(45 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. | **(30 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 A**

**State of Maine**

**Department of Marine Resources**

**PROPOSAL COVER PAGE**

**RFP# 202505076**

**Inventory of Critical Maine Working Waterfronts**

|  |  |
| --- | --- |
| **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# 202505076**

**Inventory of Critical Maine Working Waterfronts**

|  |  |
| --- | --- |
| **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# 202505076**

**Inventory of Critical Maine Working Waterfronts**

|  |  |
| --- | --- |
| **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. Please describe the proposed entity/individual’s familiarity with Maine’s working waterfronts, including past inventory efforts, current challenges and efforts, and currently active partners. 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# 202505076**

**Inventory of Critical Maine Working Waterfronts**

**Cost Summary Table**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |
| **Proposed Cost for Deliverable 1 (***Create replicable process and methodology for identifying working waterfronts and intertidal access points statewide that are critical to Maine’s marine economy.***)** |  |
| **Proposed Cost for Deliverable 2 (***Conduct a statewide inventory of a subset of critical working waterfronts*.**)** |  |
| **Proposed Cost for Deliverable 3 (***Provide cost and time estimates to do similar statewide inventories of other types of working waterfronts if additional funding becomes available.***)** |  |
| **Proposed Cost for Deliverable 4 (***Create a final report and spatial data about the inventoried sites that can be shared publicly, as well as recommended methods for updating and expanding the data periodically*.**)** |  |
| **Proposed Cost (Total):** | **$**  |

**Cost Estimates by Budget Category**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Cost Category** | **Deliverable 1** | **Deliverable 2** | **Deliverable 3** | **Deliverable 4** | **Total Cost** |
| **Personnel** |  |  |  |  | **$0.00** |
| **Fringe Benefits** |  |  |  |  | **$0.00** |
| **Indirect** |  |  |  |  | **$0.00** |
| **Travel** |  |  |  |  | **$0.00** |
| **Equipment** |  |  |  |  | **$0.00** |
| **Supplies** |  |  |  |  | **$0.00** |
| **Contractual** |  |  |  |  | **$0.00** |
| **Other (specify)** |  |  |  |  | **$0.00** |
| ***TOTALS*** | **$0.00** | **$0.00** | **$0.00** | **$0.00** | **$0.00** |

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

The total 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# 202505076**

**Inventory of Critical Maine Working Waterfronts**

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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