

**STATE OF MAINE**  
**Executive Department**  
*Office of the Public Advocate*



**RFP# 202403079**

**Natural Gas Consultant for the Maine Public Advocate**

<b>RFP Coordinator</b>	<p><i>All communication regarding the RFP <u>must</u> be made through the RFP Coordinator identified below.</i></p> <p><b>Name:</b> Kristina R. Winther <b>Title:</b> Senior Counsel <b>Contact Information:</b> <a href="mailto:Kristina.r.winther@maine.gov">Kristina.r.winther@maine.gov</a></p>
<b>Submitted Questions Due</b>	<p><i>All questions <u>must</u> be received by the RFP Coordinator identified above by:</i></p> <p><b>Date:</b> April 18, 2024, no later than 11:59 p.m., local time</p>
<b>Proposal Submission Deadline</b>	<p><i>Proposals <u>must</u> be received by the Division of Procurement Services by:</i></p> <p><b>Submission Deadline:</b> April 29, 2024, no later than 11:59 p.m., local time.</p> <p><i>Proposals <u>must</u> be submitted electronically to: <a href="mailto:Proposals@maine.gov">Proposals@maine.gov</a></i></p>

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**PUBLIC NOTICE**

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**State of Maine  
Executive Department, Office of the Public Advocate  
RFP# 202403079  
Natural Gas Consultant for the Maine Public Advocate**

The State of Maine is seeking proposals for a consultant to assist the Office of the Public Advocate (Office) in proceedings before the Maine Public Utilities Commission (PUC), primarily two types of cases: (1) PUC approval of periodic “cost of gas adjustment” cases where the four Maine natural gas local distribution companies (LDCs) pass on their supply costs to those customers for whom they provide supply; and (2) PUC approval of the LDCs entering into long-term firm transportation contracts. Other possible proceedings would be PUC proceedings regarding gas policy or rulemakings regarding gas supply issues, as well as Federal Energy Regulatory Commission (FERC) cases that are related to natural gas utilities and natural gas policy.

A copy of the RFP, as well as the Question & Answer Summary and all amendments related to the RFP, can be obtained at:

<https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps>

Proposals must be submitted to the State of Maine Division of 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 April 29, 2024. Proposals will be opened the following business day. Proposals not submitted to the Division of Procurement Services’ aforementioned e-mail address by the aforementioned deadline will not be considered for contract award.

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## RFP TERMS/ACRONYMS with DEFINITIONS

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

<b><u>Term/Acronym</u></b>	<b><u>Definition</u></b>
<b>Department</b>	Maine Office of the Public Advocate
<b>FERC</b>	Federal Energy Regulatory Commission
<b>LDC</b>	Natural Gas Local Distribution Company
<b>RFP</b>	Request for Proposal
<b>Office</b>	Maine Office of the Public Advocate
<b>PUC</b>	Maine Public Utilities Commission
<b>State</b>	State of Maine

**State of Maine – Executive Department**  
*Office of the Public Advocate*  
**RFP# 202403079**  
**Natural Gas Consultant for the Maine Public Advocate**

**PART I INTRODUCTION**

**A. Purpose and Background**

The Maine Office of the Public Advocate (Department) is seeking proposals to provide consulting services to assist with regulatory proceedings related to natural gas. The primary types of PUC cases where the Department seeks consulting support are: (1) PUC approval of periodic “cost of gas adjustment” cases where the four (4) Maine natural gas local distribution companies (LDCs) pass on their supply costs to those customers for whom they provide supply; and (2) PUC approval of the LDCs entering into long term firm transportation contracts. These services will include, but not be limited to, providing advice, and assisting in litigation in proceedings on the cost customers pay for gas and other services delivered by Maine natural gas utilities, revisions to gas utility tariffs, transportation capacity on interstate and international pipelines, and gas supply planning, as defined in this Request for Proposal (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.

The Public Advocate, by statute, represents the interests of Maine utility ratepayers, with special emphasis on the interests of low-income customers, in proceedings before the Maine Public Utilities Commission (PUC). There are four (4) natural gas utilities operating in Maine with customer counts ranging in size from more than 30,000 to as few as 6,000. Given the current low penetration rate of natural gas into the state, all four (4) of these utilities are involved in efforts to expand their service areas.

Because the staff of the Office is composed primarily of attorneys, we rely on a consultant to provide expert advice and testimony on gas markets and prices, sources of supply, transportations costs, gas price hedging strategies, the operations of both interstate pipelines and local distribution systems, and industry best practices. This advice and testimony are critical to allowing the Office to effectively represent ratepayer interests in proceedings before the PUC and Federal Energy Regulatory Commission (FERC) concerning both questions of gas pricing and gas policy.

**B. 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](#) et seq.).
8. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to the RFP.
9. All applicable laws, whether or not herein contained, are included by this reference. It is the Bidder’s responsibility to determine the applicability and requirements of any such laws and to abide by them.

**C. Contract Term**

The Department is seeking a cost-efficient proposal to provide services, as defined in the RFP, for the anticipated contract period defined in the table below. Please note, 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	July 1, 2024	June 30, 2026
Renewal Period #1	July 1, 2026	June 30, 2028
Renewal Period #2	July 1, 2028	June 30, 2029

**D. Number of Awards**

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

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

### **A. ISSUES**

The contractor will be responsible for analyzing all pertinent data and presenting overall recommendations on the following issues:

1. General gas utility operations and customer classes.
2. Gas trading and hedging activity.
3. Gas utility applications for cost of gas rates.
4. Annual review of the prudence of utility gas procurement activities.
5. Integrated resource planning for gas supply and transportation.
6. Gas supply and transmission options available to Maine utilities and customers.
7. Gas utility tariff terms and conditions for both firm sales and transportation customers.
8. Gas marketer operations.
9. Gas pipeline transportation contracting, in both the U.S. and Canada.
10. Federal/national gas pipeline regulation in both the U.S. and Canada.
11. Other issues that may arise related to natural gas policy.

### **B. SPECIFIC DESCRIPTION OF RESPONSIBILITIES**

The contractor will be responsible for providing the following services in the direction of and with the input from the Office of the Public Advocate.

1. Thoroughly review and evaluate gas utility petitions and applications.

In a typical year, this will include five (5) cost of gas approval/review proceedings, one (1) to three (3) petitions for approval of obtaining interstate pipeline capacity, approximately three (3) petitions for changes to tariff language, one (1) or more policy/planning issue proceedings, one (1) or more affiliate transaction proceedings, and possible involvement in a FERC proceeding for interstate pipeline rates.

Examples of typical cost of gas proceedings can be found in MPUC Dockets 2023-00043, 2022-00256; and 2021-00186. Examples of pipeline capacity cases can be found in Dockets 2023-00254 and 2019-00338. An example of an affiliate transaction can be found in Docket 2023-00195. These dockets may be accessed through the MPUC's online case management system at <https://mpuc-cms.maine.gov>.

Most proceedings will not require a full litigation schedule. Issues are often resolved through negotiated settlement or the submission of comments. The contractor should, however, be prepared to perform the services listed below in connection with any proceeding in which the Office participates.

2. Assist the Office in conducting discovery of gas utilities and other parties sufficient to make a complete analysis of utility proposals and their effects on customers. This assistance will include, without limitation, aiding in the preparation of such written requests for information as may be necessary for a thorough analysis of the case.
3. Assist the Office in evaluating the responses to discovery and other information provided by gas utilities for the purpose of determining whether the case can be processed on the basis of the issues identified up to that point or whether the Office should raise additional issues.

4. Assist the Office in preparing proposed cross-examination of the expert witnesses of gas utilities and other parties and in conducting such examination, whether at a technical conference or at a hearing before MPUC. From time to time, this may include travel to Hallowell, Maine. (The offices of the Public Advocate and the MPUC are both in Hallowell, Maine.)
5. Prepare, present direct testimony, and submit to cross-examination on the issues identified in each MPUC proceeding, as well as any other issues identified as necessary to raise. This may include travel to Hallowell, Maine.
6. Assist the Office in responding to such discovery as MPUC Staff, the relevant gas utility, or other parties may undertake of the Office and its consultants.
7. Analyze rebuttal testimony filed by gas utilities and other parties and prepare proposed cross-examination thereof, together with any needed discovery. Assist in the cross-examination of gas utility rebuttal. This may include travel to and from Hallowell, Maine.
8. Review the direct testimony of other parties and the rebuttal testimony of the gas utility and prepare and present surrebuttal evidence on the issues identified above. This may require travel to Hallowell, Maine.
9. While performing these Tasks, assist the Office in evaluating and responding to positions taken and evidence presented by any intervenors that may participate in the case.
10. Assist the Office in the preparation and presentation of comments, briefs, oral arguments, and exceptions before the MPUC and its Hearing Examiners.
11. Assist the Office in the appeal of any decisions from the MPUC.
12. To the extent that MPUC practice permits, assist the Office in presenting to the MPUC gas policy recommendations and positions the Office is advancing.
13. When necessary, perform services 1-12 above in proceedings before FERC.
14. Monitor state, regional, and national gas markets and issues and keep the Office informed of events and trends that may affect Maine gas customers and advise on the position that Public Advocate should take in response.

### **C. MANNER OF PERFORMANCE OF THE WORK**

In performing Tasks in PART II B. 1 through 14 above, the contractor will be always expected to:

1. Communicate with the Office on a regular basis, via email and telephone, regarding the progress of the work and the results of that work.
2. For the Office's review, prepare drafts of all written materials to be employed in discovery, comment, litigation, or policy development, sufficiently in advance of the time that they must be submitted to the PUC to allow the Office to review the work, pose additional questions, or discuss issues or problems in greater detail.
3. Assist the Office in proposing reasonable schedules and deadlines to the PUC for each stage of a proceeding, complete all work in accordance with such timetables or deadlines for the processing of the case as the PUC may impose.



## PART III KEY RFP EVENTS

### A. 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.
  - a. Bidders and other interested parties should use **Appendix E** (Submitted Questions Form) for submission of questions. The form is to be submitted as a WORD document.
  - b. The Submitted Questions Form 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.
  - c. Submitted Questions must include the RFP Number and Title in the subject line of the e-mail. 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: [Division of Procurement Services RFP Page](#). 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.

### B. Amendments

All amendments released in regard to the RFP will also be posted on the following website: [Division of Procurement Services RFP Page](#). 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.

### C. Submitting the Proposal

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.
  - a. 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 are to be submitted to the State of Maine Division of Procurement Services at [Proposals@maine.gov](mailto:Proposals@maine.gov).
  - a. Only proposal submissions received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
    - i. 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.
  - b. 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.
  - c. Encrypted e-mails received which require opening attachments and logging into a

proprietary system will not be accepted as submissions. Please check with your organization's Information Technology team to ensure that your security settings will not encrypt your proposal submission.

- d. 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.
- e. Bidders are to insert the following into the subject line of their e-mail proposal submission: "**RFP# 202403079 Proposal Submission – [Bidder's Name]**"
- f. 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** (Debarment, Performance and Non-Collusion Certification)

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

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

*PDF format preferred*

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

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

*PDF format preferred*

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

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

*PDF format preferred*

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

## **PART IV PROPOSAL SUBMISSION REQUIREMENTS**

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

The Bidder's proposal 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. 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.

##### **2. Debarment, Performance and Non-Collusion Certification**

Bidders must complete **Appendix B** (Debarment, Performance and Non-Collusion Certification Form). The Debarment, Performance and Non-Collusion Certification Form 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 examples of projects which demonstrate their experience and expertise in performing these services as well as highlighting the Bidder's stated qualifications and skills.

##### **2. 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.

### **3. 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.

### **4. 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.

### **5. 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.

### **6. 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**

Discuss the Scope of Services referenced above in Part II of the RFP and what the Bidder will offer. Give particular attention to describing the methods and resources you will use and how you will accomplish the tasks involved. Also, describe how you will ensure expectations and/or desired outcomes as a result of these services will be achieved. If subcontractors are involved, clearly identify the work each will perform.

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

### **1. General Instructions**

- a. Bidders must submit a cost proposal that covers the initial period starting July 1, 2024, and ending on June 30, 2026.
- b. The cost proposal must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.
- c. 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 the exclusion of the proposal from consideration, at the discretion of the Department.

## **PART V PROPOSAL EVALUATION AND SELECTION**

Evaluation of the submitted proposals will be accomplished as follows:

### **A. 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. Changes to proposals, including updating or adding information, will not be permitted during any interview/presentation process and, therefore, Bidders must submit proposals that present their rates and other requested information as clearly and completely as possible.

### **B. Scoring Weights and Process**

1. **Scoring Weights:** The score 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 (No Points)**

Includes all elements addressed above in Part IV, Section I.

#### **Section II. Organization Qualifications and Experience (40 points)**

Includes all elements addressed above in Part IV, Section II.

#### **Section III. Proposed Services (30 points)**

Includes all elements addressed above in Part IV, Section III.

#### **Section IV. Cost Proposal (30 points)**

Includes all elements addressed above in Part IV, Section IV.

2. **Scoring Process:** For proposals that demonstrate meeting the eligibility requirements in Section I, 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. Sections IV, the Cost Proposal will be scored as described below.
3. **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 bids values will be awarded proportionately fewer points calculated in comparison with the lowest bid.

The scoring formula is:

(Lowest submitted cost proposal / Cost of proposal being scored) x 30 = pro-rated score)

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

- 4. 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.

### C. 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.

### D. 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](#) and [18-554 Code of Maine Rules 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**

### **A. 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 Division of Procurement Services' website at the following link: [Division of Procurement Services Forms Page](#)

2. 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\(B\)\(i\)](#).)

This provision means that a contract cannot be effective until at least 14 calendar days after award notification.

3. 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.
4. 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.

### **B. 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.

2. 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.

Vendor will provide the Office with an estimated annual budget for the next renewal period by June 1<sup>st</sup>.

Vendor shall provide at least one month's notification to the Office by email to the Program Administrator when the balance remaining on the contract goes below \$5,000.



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

**Appendix A** – Proposal Cover Page

**Appendix B** – Debarment, Performance, and Non-Collusion Certification

**Appendix C** – Qualifications and Experience Form

**Appendix D** – Cost Proposal Form

**Appendix E** – Submitted Question Form

**APPENDIX A**

**State of Maine  
Office of the Public Advocate  
PROPOSAL COVER PAGE  
RFP# 202403079**

**Natural Gas Consultant for the Maine Public Advocate**

<b>Bidder's Organization Name:</b>			
<b>Chief Executive - Name/Title:</b>			
<b>Tel:</b>		<b>E-mail:</b>	
<b>Headquarters Street Address:</b>			
<b>Headquarters City/State/Zip:</b>			
<i>(Provide information requested below if different from above)</i>			
<b>Lead Point of Contact for Proposal - Name/Title:</b>			
<b>Tel:</b>		<b>E-mail:</b>	
<b>Headquarters Street Address:</b>			
<b>Headquarters City/State/Zip:</b>			

- 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.*

<b>Name (Print):</b>	<b>Title:</b>
<b>Authorized Signature:</b>	<b>Date:</b>

**APPENDIX B**

**State of Maine  
Office of the Public Advocate  
DEBARMENT, PERFORMANCE, and NON-COLLUSION CERTIFICATION  
RFP# 202403079  
Natural Gas Consultant for the Maine Public Advocate**

<b>Bidder's Organization Name:</b>	
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*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:*

- a. 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.*
- b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:
  - i. Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or contract.*
  - ii. Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.**
- c. 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.*
- d. 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.*
- e. 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.*

<b>Name (Print):</b>	<b>Title:</b>
<b>Authorized Signature:</b>	<b>Date:</b>

APPENDIX C

**State of Maine  
Office of the Public Advocate  
QUALIFICATIONS and EXPERIENCE FORM  
RFP# 202403079  
Natural Gas Consultant for the Maine Public Advocate**

<b>Bidder's Organization Name:</b>	
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**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.**

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**APPENDIX C (continued)**

**Provide a description of projects that occurred within the past five years which reflect experience and expertise needed in performing the functions described in Part II – Scope of Services to be Provided of the RFP. Please note that contract history with the State of Maine, whether positive or negative, may be considered in rating 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	
<b>Client Name:</b>	
<b>Client Contact Person:</b>	
<b>Telephone:</b>	
<b>E-Mail:</b>	
Brief Description of Project	

Project Two	
<b>Client Name:</b>	
<b>Client Contact Person:</b>	
<b>Telephone:</b>	
<b>E-Mail:</b>	
Brief Description of Project	

Project Three	
<b>Client Name:</b>	
<b>Client Contact Person:</b>	
<b>Telephone:</b>	
<b>E-Mail:</b>	
Brief Description of Project	

APPENDIX D

**State of Maine**  
**Office of the Public Advocate**  
**COST PROPOSAL FORM**  
**RFP# 202403079**  
**Natural Gas Consultant for the Maine Public Advocate**

<b>Bidder's Organization Name:</b>	
<b>Proposed Cost:</b>	\$

Bidders must complete the tables below. The Total Project Cost must cover the Initial Period of Performance as described in Part I, C and will be used in the scoring formula defined in Part V, B.3. of the RFP.

Staff Resources – Employees (Titles/Hourly Rates)	Projected Costs
<b>Total Staff Costs</b>	<b>\$</b>

Purchased Services – Non-Employees	Projected Costs
<b>Consultants (including travel, etc.)</b>	<b>\$</b>
<b>Other (Describe)</b>	<b>\$</b>
<b>Total Purchased Services</b>	<b>\$</b>

Subcontracting – Non-Employees	Projected Costs
<b>Percentage of non-employee direct personal &amp; related incidental expenses, including travel</b>	<b>%_____</b>
<b>Total Non-Employee Service Items &amp; Incidental Expenses</b>	<b>\$</b>

Non-Personal Service Items	Projected Costs
<b>Supplies and Materials</b>	<b>\$</b>
<b>Employee Travel</b>	<b>\$</b>
<b>Total Non-Personal Service Items</b>	<b>\$</b>

Other Costs (attach list if necessary)	Projected Costs
<b>Indirect Costs (Rate _____%)</b>	<b>\$</b>

Total Cost	
<b>Total Project Cost</b>	<b>\$</b>

**APPENDIX E**

**State of Maine  
 Office of the Public Advocate  
 SUBMITTED QUESTIONS FORM  
 RFP# 202403079**

**Natural Gas Consultant for the Maine Public Advocate**

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.

<b>Organization Name:</b>	
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RFP Section & Page Number	Question