

**STATE OF MAINE**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
BUREAU OF REMEDIATION & WASTE MANAGEMENT

**RFP# 201502022**

**Pre-Qualified Vendor List for**  
**ENVIRONMENTAL CONSULTING SERVICES**

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**From the time this RFP is issued until award notification is made, all contact with the State regarding this RFP must be made through the aforementioned RFP Coordinator. No other person / State employee is empowered to make binding statements regarding this RFP. Violation of this provision may lead to disqualification from the bidding process, at the State's discretion.**

**Bidders' Conference: March 11<sup>th</sup>, 2015, 9:00am @ DEP Response Training Room, 4 Blossom Lane in Augusta, Maine**

**Deadline for Submitted Questions: March 13<sup>th</sup>, 2015, 5:00 p.m. local time**

**Proposals Due: March 26<sup>th</sup>, 2015 no later than 2:00 p.m. local time**

Submit to:

**Division of Purchases**  
**Burton M. Cross Building, 111 Sewall Street, 4<sup>th</sup> Floor**  
**9 State House Station, Augusta ME 04333-0009**

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**Public Notice**

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**State of Maine  
Department of Environmental Protection  
Public Notice for RFP# 201502022  
Pre-Qualified Vendor List for  
Environmental Consulting Services**

The State of Maine Department of Environmental Protection, Bureau of Remediation & Waste Management has a requirement to establish a Pre-Qualified Vendor List for Environmental Consulting Services. In accordance with State procurement practices, the Department is hereby announcing the publication of a Request for Proposals (RFP) # 201502022 for the purchase of the aforementioned Environmental Consulting Services.

A copy of the RFP can be obtained by contacting the Department’s RFP Coordinator for this project: Laura Gay. The RFP Coordinator can be reached at the following email address: [Laura.Gay@maine.gov](mailto:Laura.Gay@maine.gov) or mailing address: 28 Tyson Drive, 17 State House Station, Augusta, Maine 04333-0017. The Department encourages all interested vendors to obtain a copy of the RFP and submit a competitive proposal.

A Bidders’ Conference will be held on March 11<sup>th</sup>, 2015, 9:00am at the DEP Response Training Room, 4 Blossom Lane, Augusta, Maine.

Proposals must be submitted to the State of Maine Division of Purchases, located at the Burton M. Cross Office Building, 111 Sewall Street, 4<sup>th</sup> Floor, 9 State House Station, Augusta, Maine, 04333-0009. Proposals must be submitted by 2:00 pm, local time on March 26<sup>th</sup>, 2015, when they will be opened at the Division of Purchases’ aforementioned address. Proposals not received at the Division of Purchases’ aforementioned address by the aforementioned deadline will not be considered for contract award.

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**State of Maine - Department of Environmental Protection**  
**RFP# 201502022**  
**Pre-Qualified Vendor List for**  
**Environmental Consulting Services**

**PART I INTRODUCTION**

**A. Purpose and Background**

The Department of Environmental Protection (“Department”) is seeking to establish a prequalified vendor list for Environmental Consulting Services as defined in this Request for Proposals (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the Provider(s) will be selected, and the contractual terms which will govern the relationship between the State of Maine (“State”) and the awarded Bidder(s). Included in this RFP are requirements necessary to bid on Brownfields projects as well as Vapor Intrusion. These two categories are subsets of the Environmental Consultant category.

All submittals must meet the minimum requirements for the Environmental Consultant category to be considered Prequalified. If your company also meets the minimum requirements for Brownfields and Vapor Intrusion, you will be able to bid on those RFB’s (Request for Bids) as well.

The Department will prequalify Environmental Consultants to assist Department staff, primarily from the Bureau of Remediation and Waste Management, at petroleum, hazardous substance/Uncontrolled sites, Brownfields, Vapor Intrusion or Landfill programs, but also other tasks as requested by DEP.

**B. General Provisions**

1. Issuance of this 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 this RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
2. All proposals should adhere to the instructions and format requirements outlined in this 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 and Evaluation” section of this RFP.
3. Bidders shall take careful note that in evaluating a proposal submitted in response to this 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. The proposal shall be signed by a person authorized to legally bind the Bidder and shall 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.
4. The RFP and the selected Bidder’s proposal, including all appendices or attachments, will be incorporated in the final contract.
5. Following announcement of an award decision, all submissions in response to this RFP will be considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) (1 M.R.S. §§ 401 et seq.).
6. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to this RFP.
7. The State of Maine Division of Purchases reserves the right to authorize other Departments to use the contract(s) resulting from this RFP, if it is deemed to be beneficial for the State to do so.

8. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be Proposer's/Vendor's responsibility to determine the applicability and requirements of any such laws and to abide by them.

**C. Eligibility to Submit Bids**

Public agencies, private for-profit companies, and non-profit companies and institutions are invited to submit bids in response to this Request for Proposals.

**D. Contract Term**

The Department is seeking a cost-efficient proposal to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. Please note that the dates below are estimated, and may be adjusted as necessary in order to comply with all procedural requirements associated with this 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 one renewal period of two years, subject to continued availability of funding and satisfactory performance.

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

<b>Period</b>	<b>Start Date</b>	<b>End Date</b>
Initial Period of Performance	5/1/2015	5/1/2017
Renewal Period #1	5/1/2017	11/1/2019

**E. Number of Awards**

The Department anticipates creating a pre-qualified vendor list and entering into retainer contracts with multiple contractors as a result of this RFP process. Project work will be awarded by circulating project-specific scopes of services to all pre-qualified contractors. Proposals (“mini-bids”) will be evaluated on the basis of methodologies, contractors’ proposed cost and contractor availability.

Once the pre-qualified list is established, the Department will notify all pre-qualified vendors when specific services are needed. Each vendor on the pre-qualified list will be given a description of the particular services needed and asked to respond within a specific timeframe with information on how that vendor proposes to provide the particular services, along with the cost for those services. The Department will then select one vendor based on the availability, scheduling, methodologies, and costs submitted during the “mini-bid” process. Please note, the costs proposed under this RFP process will form the foundation of each vendors future “mini-bid” responses – that is, a vendor may not propose rates in the “mini-bid” that is above what is proposed in response to this RFP process (but a vendor may propose a rate lower, if it so chooses).

At the discretion of the State, large projects and/or projects with unique needs not covered within this RFP may be released and awarded through project specific RFPs. Vendors for those projects will not be selected from the pre-qualified list, but rather through a separate RFP process based on their specific needs/timelines. The Department may also select vendors from the pre-qualification list without using the mini bid process for emergencies and for projects less than \$5,000.

This RFP offers an annual enrollment process for new vendors to be included on the pre-qualified vendor list. Once selected, vendors do not need to reapply. To allow other providers to be added to the list, each year the list will be reopened to additional proposals starting January 15th, 2016 through 2:00 PM (local time) the first

business day of February, 2016 and every year thereafter between January 15th and 2:00 PM (local time) on the first business day of February. Proposals will be evaluated and vendors notified of the decision within 30 days of this date.

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

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

### **A. Basic Requirements**

- Personnel must have satisfactorily completed 40-hour HAZWOPER safety training and maintain a current OSHA field certification for working on hazardous substance and petroleum remediation sites. Documentation of such will need to be submitted within your RFP submittal. Project specific requirements will be specified in mini-bids.
- Must have a Maine Certified Geologist on staff. Some tasks may require a Registered Professional Engineer. Consultants who wish to be considered for these tasks must have a Registered Professional Engineer on staff.
- Must be able to submit environmental data (laboratory data and field data) to MEDEP in a MEDEP approved Electronic Data Deliverable (EDD) format for uploading to the MEDEP database (EGAD). Failure to provide completed EDDs could subject the contractor to removal from the pre-qualified list or rejection of payment for environmental data gathering tasks until the data is received in an acceptable format.
- Must be able to demonstrate direct experience doing hazardous substance and/or petroleum site investigations including, but not limited to, hydrogeology and remediation planning and implementation following MEDEP policies, procedures and guidelines including, but not limited to: Remediation Guidelines for Petroleum Contaminated Sites in Maine, Compendium of Field Testing of Soil Samples for Gasoline and Fuel Oil, Maine Oil Groundwater Clean-up Fund, Third Party Damage Claims, Guidance for the Investigation and Clean-up of Hazardous Substances in Maine, Maine Remedial Action Guidelines, Maine Maximum Exposure Guidelines, Bureau of Remediation and Waste Management Standard Operating Procedures, Maine Voluntary Response Action Program (5 projects within the past 3 years).
- To be eligible to bid on Brownfields sites the consultant must provide proof of a current USEPA, Region 1 approved, Brownfields Quality Assurance Project Plan (QAPP) which establishes the contractor's standard operating procedures, personnel responsibilities and training requirements to insure that data collected at Brownfield sites is of an acceptable quality. The QAPP may be submitted to the USEPA, for approval, at any time during the contract period. The contractor will be eligible to bid on MEDEP Brownfields projects once evidence of the approved QAPP has been received by the MEDEP.
- To be eligible to bid on Vapor Intrusion sites The Department will prequalify contractors to investigate vapor sources and pathways, design and oversee remediation and mitigations, perform monitoring and maintenance services, and prepare status reports pertaining to performance and closure.. Work will be done primarily for the Department's Bureau of Remediation and Waste Management, at petroleum, hazardous substance/Uncontrolled sites, Brownfields, or Landfill programs. Initially, services are needed on an emergency or urgent basis with little lead time.

The Department's Bureau of Remediation and Waste Management is charged with identifying and mitigating threats to the environment and public health associated with the release of hazardous substances and petroleum. The understanding of the dynamics of subsurface volatile and toxic hazardous materials and potential impact to receptors present unique challenges with regard to assessing the source, the migration pathway and point of exposure and then cost-effectively mitigating the risk. Designing and implementing investigations and remediation's require familiarity with available methods and tools and experience with influences affecting the distribution, migration and complete exposure pathways. Through this RFP process, the Department seeks professional environmental consulting services experienced with the science and techniques to perform investigations and remediation as well as a proven record of identifying the vapor source and pathways, along with conducting mitigations and remediation's that satisfactorily protect public health and the environment. These services are expected to replace the expiring "Vapor Intrusion" contract that was initiated in 2010.

## **B. Tasks**

Work tasks resulting from this RFP include, but may not be limited to the following.

### **Task 1. Conduct Initial Site Assessment**

The selected contractor will be called upon to conduct an initial site assessment for projects assigned. This assessment may take the form of a Phase I Environmental Site Assessment (ESA), as defined in ASTM 1527, or a modified Phase I, as designated in the project specific RFP. The goal of the initial site investigation is to become familiar with the site characteristics, site history (including previous work conducted) and identify potential areas and chemicals of concern. Tasks performed as part of the initial site investigation may include, but are not limited to, the following:

- Historical records search/Past site use
- Deed research
- MEDEP file review
- Identification of local drinking water supplies and surface water bodies
- Definition of geological setting
- Site walk over / reconnaissance
- Visual survey of neighboring properties
- Interviews with current and previous owners, operators and site occupants
- Interviews with local, State and Federal officials

Initial site assessments will include the development or update of a preliminary conceptual site model which will serve to guide future phases of site work. The findings of the initial site investigation will be provided in a written report. The initial site investigation may or may not meet the requirements of All Appropriate Inquiry (as defined in Federal law) depending on the level of investigation requested in the site specific RFP.

### **Task 2. Develop Investigation Work Plan**

The selected contractor may be asked to submit a work plan for further environmental site investigation (Phase II ESA) at the discretion of the MEDEP. The work plan should take the



form of a site specific Investigation Work Plan (for Brownfields sites this will be a Site Specific Quality Assurance Plan). The work plan will detail recommendations for investigating areas of concern identified in the initial site assessment or as otherwise identified by the MEDEP. The Investigation Work Plan will address each area of concern and environmental condition, identified in the initial site investigation and propose a method of adequately investigating the associated concern, unless otherwise directed by the MEDEP. Proposed sample locations, sample types (media, grab, composite), sample methodology (procedure and equipment), analysis (laboratory method, field screening method) and rationale for each proposed sample will be included.

### **Task 3. Develop Site Specific Health and Safety Plan**

Before beginning Phase II site investigation activities the selected contractor must develop a Site Specific Health and Safety Plan (SSHASP). The SSHASP will list personnel health and safety requirements and procedures, relative to the project site and the work proposed in the Investigation Work Plan. For each field task during site investigation the SSHASP shall identify and or discuss:

- Potential problems and hazards and their solutions;
- Environmental surveillance measures including the monitoring of airborne contaminants released during site activities which may affect site workers and the local populations;
- The appropriate level and rationale for selecting respiratory protection;
- Specifications for protective clothing and other personal protective equipment (PPE), as well as criteria and procedures for upgrading the level of PPE required;
- Criteria and procedures for suspending activity;
- The exclusion zone, contamination reduction zone and clean area for on-site activities;
- Health and safety screening equipment to be used on-site during field activities;
- A list of emergency contact phone numbers including fire, police, ambulance and hospital;
- Directions to the nearest hospital.

### **Task 4. Conduct Site Investigation**

Upon approval of the Investigation Work Plan the selected contractor will implement and oversee the site investigation. The site investigation will include sampling the various media (soil, water, sediment, soil gas, indoor air, building materials, tank contents, etc.). The scope of the investigation may also include the installation of groundwater monitoring wells, vapor intrusion assessment, building material surveys, aquifer evaluation (overburden, bedrock), private and public drinking water supply exploration, surface water and wetland evaluation and any other investigation tasks requested by the MDEP in order to investigate identified concerns. The information will be presented in a written report that summarizes the investigation and clearly addresses the nature and extent of concerns identified in the initial site investigation. The conceptual site model should also be refined as necessary, based on the findings of the site investigation.

**Task 5. Routine Monitoring**

The selected contractor may be asked to conduct routine monitoring at a site. This monitoring will consist of the collection and analysis of environmental samples and/or data. Data will be submitted to the MEDEP in written and EDD formats.

**Task 6. Conduct Feasibility Study**

The selected contractor may be asked to conduct a feasibility study that evaluates the efficacy, efficiency, environmental impact and cost effectiveness of potential solutions to the various project concerns identified and quantified in the previous site investigation phases. The Feasibility Study must be overseen by a Registered Professional Engineer. The study will be summarized in a written report presented to the MDEP.

**Task 7. Develop Remedial Work Plan**

The selected contractor may be asked to develop a work plan to implement the remedial solution selected from the feasibility study. The remedial work plan will include a description of the selected solution, steps to be taken to implement and monitor the effectiveness of the solution, equipment to be used, site restoration, Best Management Practices, a detailed budget and work schedule. Development of the Remedial Work Plan must be overseen by a Registered Professional Engineer. The work plan will be submitted to the MDEP for review and approval.

**Task 8. Implementation of Remedial Solutions**

The selected contractor will implement MEDEP approved remedial activities. The contractor is responsible for ensuring that the activities are completed as described in the work plan. The MDEP must approve any significant variation from the work plan. A written summary of remedial activities will be presented to the MDEP at the conclusion of the project. Depending upon the remedial activities, oversight by a Registered Professional Engineer may be required.

**Task 9. Operation and Maintenance of Remediation Systems**

The selected contractor may be asked to oversee the operation and maintenance of ongoing remediation systems. This will include routine monitoring and maintenance, as necessary, to ensure the continued effectiveness of the system.

**C. Additional Responsibilities**

The selected contractor may also be responsible for the following, as necessary:

- Secure site access.
- Make all notifications to appropriate agencies and entities before, during and after initiating site work (DigSafe, Municipalities, State and Federal Agencies, etc.).
- Obtain all required licenses, permits and permissions requisite to site investigation, remedial actions and disposal of hazardous and non-hazardous wastes.

- Ensure that site workers are trained and qualified to work at hazardous substance sites in accordance with OSHA standards (i.e., 29 CFR 1910.120, 29 CFR 1910.146, etc.).
- Oversee hired sub-contractors and ensure that site work is conducted in accordance with applicable State and Federal laws and regulations.
- Follow Best Management Practices for controlling soil and erosion.
- Assist the MEDEP in public presentation of investigation findings and remediation plans.
- Attend and assist MEDEP staff at meetings with the public, responsible parties, government officials and other interested parties.

#### **D. Program Specific Requirements**

Programs within the MEDEP have specific requirements that they must adhere to as part of their QAP, Grant, or ongoing process. Contractors submitting proposals to work on projects associated with these programs must be willing to comply with those requirements. Contractors not meeting program requirements will not be eligible to bid on projects within the respective program(s). Some examples of program specific requirements are:

##### **Brownfields**

The Initial Site Assessment tasks completed under Brownfields must meet the most current ASTM Standard Practice for Environmental Site Assessments: Phase I Site Assessment Process (E1527-13). The development of a Conceptual Site Model must meet the current ASTM Standard Guide for Developing Conceptual Site Models for Contaminated Sites (E1689-95 (2014)). The Site Investigation task must meet the most current ASTM Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process (E190-11). The Feasibility Study must be completed in accordance with the USEPA Analysis of Brownfields Cleanup Alternatives (ABCA).

The selected contractor may also be asked to complete reporting requirements for USEPA (MBE/WBE, ACRES, etc.).

##### **Vapor Intrusion**

- Develop and revise as necessary conceptual site models
- Site monitoring events
- Source location, strength, attribution
- Remedial Design and Construction,
- Remedial Operation, Optimization, Monitoring and Maintenance
- Conduct vapor investigations and sampling in accordance with Maine DEP Guidelines
- On an individual site basis as well as Department wide, record, compile and analyze:
  - Field and lab data trends and correlations
  - Building, hydrogeologic, and weather influences on monitoring results
  - Media, spatial and temporal data relationships in order to develop and weight observational, field screening and lab data “lines of evidence” to understand source signature, source location, risk drivers, demonstrate a connection between source and receptor, identify complete exposure pathways, distinguish background from source, and determine influences on source migration and strength.

- Report statistically significant findings and how they may be applied at a specific site and/or within DEP Guidelines
- Develop project specifications, solicit bids, select, contract, manage and direct subcontractors to provide services related to investigation and remediation such as direct push probing, soil boring, monitoring well installation, water supply replacement, sampling, analysis, utility clearance, utility/manway access, remediation, mitigation, structural design, structural shoring, HVAC, drainage, ventilation, dewatering, groundwater treatment, vapor emissions treatment, vapor filtration, source removal, source cleaning, sealing, barricading, plumbing, electrical, controls, carpentry, landscaping
- Order vapor sample equipment and conduct vapor sample events for the purpose of investigation, characterization, source location, monitoring progress, monitoring performance, and assessing suspected influences.
- Perform location and elevation surveys
- Prepare site and investigation drawings.
- Review/establish/develop QA/QC protocols to ensure collection and analysis of representative data in accordance with the Department's program quality assurance plans (QAP)

### **Petroleum Program**

The petroleum program has reporting requirements for sites on the Groundwater Fund Priority List, including tasks for site closure. Selected contractors may be asked to complete the steps necessary for closure of a site.

This is not an exclusive list of program requirements. Project requirements will be detailed in the project specific requests for proposals.

### **E. Evaluation Procedure**

Contractors that perform work for the MDEP under this contract may be subject to assessment procedure. The procedure will consist of regular project performance assessment and annual contractor assessments. At the completion of all work tasks or at the end of the year (whichever is most appropriate) MDEP staff associated with the project will fill out a project performance assessment (copy attached). This assessment will document the efficiency, competency and professionalism of contractor staff and sub-contractors, and the satisfaction of MDEP staff with the work performed. These assessment forms will be provided to the contractor as feedback for their own information and records. An annual contractor assessment will also be conducted addressing the overall satisfaction of the MDEP with the contractor's performance over the year. A meeting between the contractor and MDEP program staff will be held where the MDEP can discuss with the contractor their successes and shortcomings, providing feedback. A written assessment of the contractor's performance will also be provided.

## PART III KEY RFP EVENTS

### A. Timeline of Key RFP Events

Event Name	Event Date and Time
Bidders' Conference	March 11 <sup>th</sup> , 2015 at 9:00 am local time
Due Date for Receipt of Written Questions	March 13 <sup>th</sup> , 2015 at 5:00pm, local time
Due Date for Receipt of Proposals	March 26 <sup>th</sup> 2:00pm, local time
Estimated Contract Start Date (subject to change)	May 1 <sup>st</sup> , 2015

### B. Bidders Conference

The Department will sponsor a Bidders' Conference concerning this RFP beginning at the date and time shown in the timeline above. The Bidders' Conference will be held at DEP Response Training Room, 4 Blossom Lane, Augusta, Maine.

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.

### C. Questions

#### 1. General Instructions

- It is the responsibility of each Bidder to examine the entire RFP and to seek clarification in writing if the Bidder does not understand any information or instructions.
- Questions regarding the RFP must be submitted in writing and received by the RFP Coordinator listed on the cover page of this RFP document as soon as possible but no later than the date and time specified in the timeline above.
- Questions may be submitted by e-mail, and include the RFP Number and Title in the subject line. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.
- Include a heading with the RFP Number and Title. Be sure to refer to the page number and paragraph within this RFP relevant to the questions presented for clarification, if applicable.

- Summary of Questions and Answers:** Responses to all substantive and relevant questions will be compiled in writing and distributed to all registered, interested persons by e-mail no later than seven (7) calendar days prior to the proposal due date. Only those answers issued in writing by the RFP Coordinator will be considered binding. The Department reserves the right to answer or not answer any question received.

### D. Submitting the Proposal

- Proposals due:** Proposals must be received no later than 2:00 p.m. local time, on the date listed in the timeline above, at which point they will be opened. Proposals received after the 2:00 p.m. deadline will be rejected without exception.

- 2. Mailing/Delivery Instructions:** PLEASE NOTE: The proposals are not to be submitted to the RFP Coordinator at the requesting Department. The official delivery site is the State of Maine Division of Purchases (address shown below).
- a. Only proposals received at the official delivery site prior to the stated deadline will be considered. Bidders submitting proposals are responsible for allowing adequate time for delivery. Proposals received after the 2:00 p.m. deadline will be rejected without exception. Postmarks do not count and fax or electronic mail transmissions of proposals are not permitted unless expressly stated in this RFP. Any method of hardcopy delivery is acceptable, such as US Mail, in-person delivery by Bidder, or use of private courier services.
  - b. The Bidder must send its proposal in a sealed package including **one original and three (3) copies** of the complete proposal. Please clearly label the original. One electronic copy of the proposal must also be provided on CD or flash drive with the complete narrative and attachments in MS Word format. Any attachments that cannot be submitted in MS Word format may be submitted as Adobe (.pdf) files.
  - c. Address each package as follows (and be sure to include the Bidder's full business name and address as well as the RFP number and title):

Bidder Name/Return Address

Division of Purchases  
Burton M. Cross Building, 4<sup>th</sup> Floor  
111 Sewall Street  
9 State House Station  
Augusta ME 04333-0009

Re: RFP# 201502022

## **PART IV PROPOSAL SUBMISSION REQUIREMENTS**

This section contains instructions for Bidders to use in preparing their proposals. The Bidder's proposal must follow the outline used below, including the numbering and section and sub-section headings as they appear here. Failure to use the outline specified in this section or to respond to all questions and instructions throughout this document may result in the proposal being disqualified as non-responsive or receiving a reduced score. The Department and its evaluation team for this RFP have sole discretion to determine whether a variance from the RFP specifications should result in either disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in this RFP will, at best, be considered minimally responsive. The Department seeks detailed yet succinct responses that demonstrate the Bidder's experience and ability to perform the requirements specified throughout this document.

### **A. Proposal Format**

1. For clarity, the proposal should be typed or printed. Proposals should be single-spaced with 1" margins on white 8 ½" x 11" paper using a font no smaller than 12 point Times New Roman or similar.
2. All pages should be numbered consecutively beginning with number 1 on the first page of the narrative (this does not include the cover page or table of contents pages) through to the end, including all forms and attachments. For clarity, the Bidder's name should appear on every page, including Attachments. Each Attachment must reference the section or subsection number to which it corresponds.
3. Bidders are asked to be brief and to respond to each question and instruction listed in the "Proposal Submission Requirements" section of this RFP. Number each response in the proposal to correspond to the relevant question or instruction of the RFP. Pages provided beyond the aforementioned maximum amount will not be considered during evaluation.
4. The following proposal elements, if applicable/requested, will not be counted as part of the maximum total number of pages allowed for the proposal: proposal cover page, table of contents, financial forms, any required attachments, appendices, or forms provided by the Department in the RFP, organizational charts, job descriptions, or staff résumés.
5. The Bidder may not provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Any material exceeding the proposal limit will not be considered in rating the proposals and will not be returned. Bidders shall not include brochures or other promotional material with their proposals. Additional materials will not be considered part of the proposal and will not be evaluated.
6. Include any forms provided in the application package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in the RFP.
7. It is the responsibility of the Bidder to provide all information requested in the RFP package at the time of submission. Failure to provide information requested in this RFP may, at the discretion of the Department's evaluation review team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.
8. Bidders should complete and submit the proposal cover page provided in Appendix A of this RFP and provide it with the Bidder's proposal. The cover page must be the first page of the proposal package. It is important that the cover page show the specific information requested, including Bidder address(es) and other details listed. The proposal cover page shall be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

## **B. Proposal Contents**

### **Section I Organization Qualifications and Experience** (limit 5 pages)

Briefly 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. Include similar information for any subcontractors. If this is a "team" submittal, provide a history of the teams experience working together on projects.

#### **1. Organization Location and Licensure** (limit 3 pages)

- a. Location of the corporate headquarters. Also, describe the current or proposed location where services will be provided or from which the contract will be managed.
- b. Attach documentation of any applicable Maine licensure requirements (or any specific credentials required). \*Note\* - many DEP Programs have specific requirements such as EPA approved Quality Assurance Plans, and worker safety training. It is the bidder's responsibility to identify and attach necessary licenses or certifications.
- c. Attach 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 this contract.

#### **2. Organizational Experience** (limit 5 pages)

Briefly 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. Include similar information for any subcontractors.

#### **3. Description of Experience with Similar Projects** (limit 3 pages)

- a. Provide a description of five projects that occurred within the past five years which reflect experience and expertise needed in performing the functions described in the "Scope of Services" portion of this RFP. For each of the five examples provided, a contact person from the client organization involved should be listed, along with that person's telephone number. 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.
- b. If the Bidder has not provided similar services, note this, and describe experience with projects that highlight the Bidder's general capabilities.

### **Section II Proposed Services**

Discuss the Scope of Services referenced above in Part II of this 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. If subcontractors are involved, clearly identify the work each will perform.

### **Section III Cost Proposal**

#### **1. General Instructions**

- a. The Bidder must submit a cost proposal that covers the entire period of the contract. Please use the expected contract start date of 5/1/2015 and an end date of 11/1/2017 in preparing this section.
- b. The cost proposal shall include the costs necessary for the Bidder to fully comply with the contract terms and conditions and RFP requirements.
- c. Failure to provide the requested information and to follow the required cost proposal format



provided in Appendix B may result in the exclusion of the proposal from consideration, at the discretion of the Department.

- d. No costs related to the preparation of the proposal for this 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**

- a. The Bidder should fill out Appendix B, following the instructions detailed here and in the form.
- b. Bidders must attach a company Rate Sheet and complete the Hypothetical Cost Scenarios outlined in Appendix B. The costs of the hypothetical scenarios shall reflect the rates listed in the Rate Sheet. The Rate Sheet will be adjusted for inflation during the first business day of each calendar year based on the GDP Implicit Price Deflator, available from the US Department of Commerce Bureau of Economic Analysis (BEA) website.
- c. Bidders must complete the Hypothetical Cost Scenario described in Task 1 found in Appendix B.

## **Section IV Economic Impact within the State of Maine**

In addition to all other information requested within this RFP, each Bidder must dedicate a section of its proposal to describing the Bidder's economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is required in accordance with Executive Order 2012-004, which states that certain service contracts "...advertised for competitive bid shall include scoring criteria evaluating the responding Bidder's economic impact on the Maine economy and State revenues."

For the purposes of this RFP, the term "economic impact" shall be defined as any activity that is directly performed by or related to the Bidder and has a direct and positive impact on the Maine economy and public revenues within the State of Maine. Examples may include, but are not limited to, employment of Maine residents, subcontracting/partnering with Maine businesses, payment of State and Local taxes (such as corporate, sales, or property taxes), and the payment of State licensing fees for the Bidder's business operations.

To complete the "economic impact" section of the Bidder's proposal, the Bidder shall include no more than one page of typed text, describing the Bidder's current, recent, or projected economic impact with the State of Maine, as defined above. The Bidder may include all details and information that it finds to be most relevant for this section.

## **Section V Required Proposal Attachments**

The following documents must be attached to the back of each Bidder's proposal in the order as numbered below. The required documents will be reviewed and rated by the Department's evaluation team.

Attachment 1 – Maine Geologist Certification

Attachment 2 – Safety Training Certification (HAZWOPER)

Attachment 3 – Organization Chart

Attachment 4 – Signed coversheet from the current approved EPA Region 1 Generic QAPP (if submitting to be eligible to bid on Brownfields projects)

## PART V PROPOSAL EVALUATION AND SELECTION

Evaluation of the submitted proposals shall be accomplished as follows:

### A. Evaluation Process - General Information

1. An evaluation team, comprised of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP, and in accordance with the most advantageous cost and economic impact considerations (where applicable) for the State.
2. Officials responsible for making decisions on the selection of a contractor shall 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 best satisfies the criteria of the RFP at a reasonable/competitive cost.
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, and the Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Interviews/presentations are not required, and changes to proposals will not be permitted during any interview/presentation process. Therefore, Bidders should submit proposals that present their costs 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. Organization Qualifications and Experience (50 points)**

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

#### **Section II. Specifications of Work to be Performed (20 points)**

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

#### **Section III. Cost Proposal (25 points)**

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

#### **Section IV. Economic Impact within the State of Maine (5 points)**

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

2. **Scoring Process:** The review team will use a consensus approach to evaluate the bids. Members of the review team will not score the proposals individually but instead will arrive at a consensus as to assignment of points on each category of each proposal. The contract award(s) will be made to the Bidder(s) receiving the highest number of evaluation points, based upon the proposals' satisfaction of the criteria established in the RFP. The Economic Impact section will also be scored using a consensus approach, with the highest number of evaluation points being assigned to the Bidder(s) with the most economic impact, actual or feasible, as determined by the evaluation team. The Cost section will be scored according to a mathematical formula described below.
3. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in this RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded 25 points. Proposals with higher bids values will be awarded proportionately fewer points calculated in comparison with the lowest bid.

The scoring formula is:

$(\text{Lowest submitted cost proposal} / \text{Cost of proposal being scored}) \times 25 = \text{pro-rated score}$

No Best and Final Offers: The State of Maine will not seek 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 successful Bidder to finalize a contract at the same rate or cost of service as presented in the selected proposal. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department's Request for Proposals to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with a selected respondent 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 Purchases Review Committee.
2. Notification of contractor selection or non-selection will be made in writing by the Department.
3. Issuance of this 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 this request, 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 this RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 MRSA § 1825-E and 18-554 Code of Maine Rules, Chapter 120 (found here: <http://www.maine.gov/purchases/policies/120.shtml>). 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 contract award.

If this RFP results in the creation of a pre-qualified or pre-approved list of vendors, then the appeal procedures mentioned above are available upon the original determination of that vendor list, and during subsequent competitive procedures involving only the pre-qualified or pre-approved list participants.

## PART VI CONTRACT ADMINISTRATION AND CONDITIONS

### A. Contract Document

1. The successful Bidder will be required to execute a contract in the form of a State of Maine Agreement to Purchase Services (BP54). A list of applicable Riders is as follows:

Rider A: Specification of Work to be Performed

Rider B: Method of Payment and Other Provisions

Rider C: Exceptions to Rider B

The complete set of standard BP54 contract documents may be found on the Division of Purchases website at the following link: <http://www.maine.gov/purchases/info/forms/BP54.doc>

Other forms and contract documents commonly used by the State can be found on the Division of Purchases website at the following link: <http://www.maine.gov/purchases/info/forms.shtml>

2. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Purchases Review Committee. Contracts are not considered fully executed and valid until approved by the State Purchases 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): <http://www.maine.gov/purchases/policies/110.shtml>

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

3. The Department estimates having a contract in place by 5/1/2015. The State recognizes, however, 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 Purchases 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 may need to be adjusted, if necessary, to comply with mandated requirements.
4. In providing services and performing under the contract, the successful Bidder shall act independently and not as an agent of the State of Maine.

### B. Standard State Agreement Provisions

1. Agreement Administration
  - a. Following the award, an Agreement 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 successful Bidder in the finalization of the contract.
  - b. 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.

**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 this RFP.

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

1. Appendix A – State of Maine Proposal Cover Page
2. Appendix B – Cost Proposal Form

**State of Maine**  
**Department of Environmental Protection**  
**PROPOSAL COVER PAGE**  
**RFP# 201502022**  
**Pre-Qualified Vendor List for**  
**Environmental Consultant Services**

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

Proposed Cost:	
<i>The proposed cost listed above is for reference purposes only, not evaluation purposes. In the event that the cost noted above does not match the Bidder's detailed cost proposal documents, then the information on the cost proposal documents will take precedence.</i>	

- 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 undersigned is authorized to enter into contractual obligations on behalf of the above-named organization.

## Debarment, Performance, and Non-Collusion Certification

*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;*
  - iii. 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; and*
  - iv. 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.**
- c. 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.*

- Failure to provide this certification may result in the disqualification of the Bidder’s proposal, at the discretion of the Department.**

*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:	Title:
Authorized Signature:	Date:



**Appendix B**

**State of Maine  
Department of Environmental Protection  
COST PROPOSAL FORM  
RFP# 201502022  
Pre-Qualified Vendor List for  
Environmental Consultant Services**

Bidder's Organization Name: \_\_\_\_\_

Bidders must complete the Hypothetical Cost Scenario described in Task 1 below:

**Tideway Market, 750 US Route 1, Hancock, Maine  
Spill Number B-334-02**

The Hypothetical Cost Scenario is for the following activities at the Tideway Market, a currently operating gasoline UST facility located at 750 US Route 1 in Hancock that was upgraded in 2002. The facility suffered discharges resulting in gasoline contamination in the local overburden and bedrock aquifers. A monitoring well network, sub-surface water drainage structures, and a drinking water well are sampled periodically.

Scope of Work:

All hydrogeologic work shall be completed by a Maine Certified Geologist (C.G.) and all final reports shall be signed by the C.G. All work shall be appropriately documented and a signed report shall be generated as outlined in the tasks below. The Department will be responsible for obtaining site access for the Provider to conduct the activities and the Provider will arrange appointments for drinking water well sampling.

Electronic Data Deliverables in the current DEP format are required for both sites. Chains of Custody must be completed to mirror current EGAD information to insure compatibility of new data with historic data. Monitoring wells at both sites will be sampled following DEP SOP No. RWM-DR-003 Groundwater Sampling Using Low Flow Purging and Sampling for Long Term Monitoring. Drinking water wells will be sampled following DEP SOP No. RWM-DR-001 Water Sample Collection from Water Supply Wells. Copies of these SOP's can be found at <http://www.maine.gov/dep/spills/petroleum/documents/appendixb.html>. The lab selected for analyses must be Maine certified for the method and analytes requested.

This proposal requires the Provider to complete the following tasks:

**Task 1. Hancock-** This site will be sampled for Volatile Petroleum Hydrocarbons, Extractable Petroleum Hydrocarbons, and EPA Method SW8260.

The provider shall sample the following nine monitoring wells and four subsurface structures: MW-201, MW-202, MW-203, MW-204, MW-205, MW-206, MW-207, MW-208, MW-209, CB-1, CB-2, CB-3 and CB-4. These are identified in the attached Hancock monitoring well map and spreadsheet. The spreadsheet shows the historical analytical results and some details of well construction.

{Note: Spreadsheet at: [Copy of Tideway lab Wells.xlsx](#)}

The provider will also sample 1 drinking water well. The drinking water well owners' contact information will

be provided to the selected bidder.

The provider will sample at the following frequency (Field work to be completed by last day of the month):

October-14	Monitoring Wells and Drinking Water Wells
April-15	Monitoring Wells and Drinking Water Wells
October-15	Monitoring Wells and Drinking Water Wells

Reporting

Upon completion of each sampling round, the provider will submit to the project manager a brief letter report describing the work conducted and summarizing the laboratory results reported. A copy of the complete laboratory report should be included with each letter report. Along with the written report, an Electronic Data Deliverables in the current DEP format is required for all results.

Reports must be completed within three weeks of receipt of the lab results.

**Submittal Summary Form: Tideway Market, 750 US Route 1, Hancock, Maine Spill Number B-334-02.**

Bidder's Organization Name: \_\_\_\_\_

Contact Person Name: \_\_\_\_\_

Bidders Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Answer (Yes or no)	Question
	Will you be able to provide all resources to conduct the tasks assigned to the Provider in the scope of work?
	Will you be using a Maine certified lab with current certification for the method and analyses requested?
	Will all hydrogeological work be completed by and all final reports signed by a Maine Certified Geologist?
	Will you meet the schedule outlined in the scope of work?

Total cost for completion of Tasks 1 as outlined above \_\_\_\_\_

Signature: \_\_\_\_\_  
 \_\_\_\_\_ (Printed name, title) (Date)

