**STATE OF MAINE**

**Department of Agriculture, Conservation and Forestry**

*Quality Assurance and Regulations*



**RFP# 202401019**

**Consumer Safety Licensing System**

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| **RFP Coordinator** | *All communication regarding the RFP must be made through the RFP Coordinator identified below*.  **Name:** Celeste Poulin **Title:** Director, Division of Quality Assurance and Regulation  **Contact Information:** [celeste.poulin@maine.gov](mailto:celeste.poulin@maine.gov) |
| **Submitted Questions Due** | *All questions must be received by the RFP Coordinator identified above by:*  **Date:** April 12, 2024, no later than 11:59 p.m., local time |
| **Proposal Submission Deadline** | *Proposals must be received by the Division of Procurement Services by:*  **Submission Deadline:** April 29, 2024, no later than 11:59 p.m., local time.  *Proposals must be submitted electronically to:* [Proposals@maine.gov](mailto:Proposals@maine.gov) |

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PUBLIC NOTICE

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**State of Maine**

**Department of Agriculture, Conservation and Forestry**

**RFP# 202401019**

**Consumer Safety Licensing System**

The State of Maine is seeking proposals for a consumer safety licensing and inspection system.

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:

|  |  |
| --- | --- |
| **Term/Acronym** | **Definition** |
| **COTS** | Commercial Off the Shelf |
| **DACF** | Department of Agriculture, Conservation and Forestry |
| **Department** | Department of Agriculture, Conservation and Forestry |
| **IT Service Contract** | State of Maine Information Technology Contract template name |
| **QAR** | Quality Assurance and Regulations |
| **RFP** | Request for Proposal |
| **SAAS** | Software as a Service |
| **State** | State of Maine |

**Department of Agriculture, Conservation and Forestry**

*Quality Assurance and Regulations*

**RFP# 202401019**

**Consumer Safety Licensing System**

**PART I INTRODUCTION**

1. **Purpose and Background**

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 Department of Agriculture, Conservation and Forestry (Department) is seeking a SaaS product vendor to configure, implement, and maintain an online licensing, permitting and registration software solution as defined in this Request for Proposal (RFP) document. It is preferred that the SAAS solution be a COTS product.

The Department requires a centralized software solution for persons/businesses to apply for, and receive, a license, registration, or permit to offer consumer goods to the public. Current multiple legacy systems do not provide the required centralized functionality for the State and its citizens. To the maximum extent possible, the application resulting from this RFP will become the Enterprise solution and replace existing legacy products across the Executive branch landscape.

1. **General Provisions**
   1. From the time the RFP is issued until award notification is made, all contact with the State regarding the RFP must be made through the RFP Coordinator. No other person/ State employee is empowered to make binding statements regarding the RFP. Violation of this provision may lead to disqualification from the bidding process, at the State’s discretion.
   2. Issuance of the RFP does not commit the Department to issue an award or to pay expenses incurred by a Bidder in the preparation of a response to the RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
   3. All proposals must adhere to the instructions and format requirements outlined in the RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Proposals are to follow the format and respond to all questions and instructions specified below in the “Proposal Submission Requirements” section of the RFP.
   4. Bidders will take careful note that in evaluating a proposal submitted in response to the RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Bidder (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities.
   5. The proposal must be signed by a person authorized to legally bind the Bidder and must contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 180 days from the date and time of the bid opening.
   6. The RFP and the awarded Bidder’s proposal, including all appendices or attachments, will be the basis for the final contract, as determined by the Department.
   7. Following announcement of an award decision, all submissions in response to this RFP will be public records, available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) ([1 M.R.S. § 401](http://www.mainelegislature.org/legis/statutes/1/title1sec401.html) et seq.).
   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.
2. **Eligibility to Submit Bids**

Bidders must have proven experience participating in the installation, implementation, and support of a government licensing software solution within the last three (3) years.

1. **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 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 | June 1, 2024 | May 31, 2025 |
| Renewal Period #1 | June 1, 2025 | May 31, 2027 |
| Renewal Period #2 | June 1, 2027 | May 31, 2029 |

1. **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**

1. Project Planning
   1. The awarded Bidder must submit a high-level Project Plan, including, but not limited to:
      1. Scope
      2. Milestones
      3. Timeline
      4. Resources
      5. Deployment Strategy
      6. Stakeholder Communications Plan
2. Data Conversion
   1. The awarded Bidder must perform crosswalk functions from legacy Access/SQLServer database to the proposed solution.
   2. The awarded Bidder must prepare a Migration and Test Plan.
   3. The awarded Bidder must migrate the legacy data to the proposed solution.
3. Functional Requirements
   1. Proposed solution must meet the list of functional requirements.

**See Appendix F – Functional Requirements Matrix.**

1. Technical Requirements
   1. Proposed solution must comply with the list of technical requirements.

**See Appendix G – Technical Assessment.**

* 1. Service Levels
     1. Proposed solution must be available 99.9% of the time.
     2. RTO (Recover Time Objective) is 8 hours.
     3. RPO (Recovery Point Objective) is 4 hours.
     4. Presuming Ethernet-connectivity of the client device, any lookup query must return response in no more than five (5) seconds, and any data modification operation must return response in no more than seven (7) seconds.
  2. All State data must reside within the continental U.S.
  3. Vendor access to State Production data must occur within the continental U.S.
  4. Provide a minimum of two (2) environments of the same application. The State requires a production environment plus at least one other environment for development/testing.

1. Interfaces and Integration

Allow for the proposed solution to integrate with the Departments Enterprise Software:

* + 1. Active Directory
    2. Microsoft Office 365
    3. PayMaine II, custom payment solution
    4. DocuWare document imaging repository
    5. ArcGIS
    6. Maine Service Bus, and the
    7. Maine Managed File Transfer

1. Training
   1. Allow for State employees and the public to learn the proposed solution:
      1. Provide user training documentation
      2. Provide system administrator training
      3. Provide guidance/clarifying messages within the application portal
2. Postproduction Support
   1. Application upgrades must be deployed centrally.
   2. All application upgrades must include successful regression testing.
3. Solution Architecture
   1. Please describe the overall platform and architecture of the solution.
      1. Please provide an architecture diagram and a data flow diagram as an attachment and provide the number of non-production environments included in the software license.
   2. Please describe how the solution is modern, composable, scalable, extendable, and secure.
4. Enterprise Solution
   1. Streamline technology to achieve more efficient system support, maintenance, and enhancement operations:
      1. A unified system that is operational and vendor supported/maintained
      2. Migration paths to allow for all replaceable legacy licensing, permitting, compliance, inspection, and/or enforcement systems to be decommissioned.
      3. Operational self-service customer portal that is Americans with Disabilities Act compliant.
   2. Provide improved service to, and satisfaction of, constituents in the regulated community

Related Success Criteria:

* + 1. Operational self-service customer portal with:
       - 1. Operational real-time application status updates
         2. Operational online applications
         3. Operational public portal with license/permit query capabilities
         4. Operational API integration with the State’s credit card 3rd party processing system
    2. Operational internal workflow capabilities
  1. Increased transparency and clarity for constituents in the regulated community regarding compliance/enforcement

Related Success Criteria:

* + 1. Operational compliance, inspection, and/or enforcement aspect(s) of the new system
    2. Operational mobile capabilities for the compliance, inspection, and/or enforcement aspect(s) of the new system
    3. Operational self-service customer portal that allows Agencies to send electronic compliance notifications to constituents
    4. Operational self-service customer portal that allows constituents to view compliance notifications sent to them by Agencies, including fees owed
  1. Improved business intelligence and reporting and transparency for constituents
     1. Operational, inherent business intelligence and reporting capabilities

1. INFORMATIONAL ONLY. The Maine Office of Information Technology has launched an initiative for a centralized Enterprise Constituents Portal for citizens, businesses, and nonprofits. Once the Enterprise Portal is fully operational, all new and existing public-facing applications are expected to consume external authentication and identity proofing from the Enterprise Portal. This means that any product implemented as a result of this RFP must conform to modern open standards for Authentication (such as, OpenID 2.0, OAuth 2.0, SAML 2.0, etc.). Downstream of the Portal being operational, the Contracted Provider is expected to perform an impact assessment and follow the change management process in this agreement for any additional effort and/or costs. Although the awarded Bidder’s product resulting from this RFP must conform to the open standards for Authentication described previously, the cost of any integration with the anticipated Enterprise Portal will not be considered under this RFP process and may not be included in the submitted Cost Proposal.
2. Contracted work may be performed remotely***.***

**PART III KEY RFP EVENTS**

1. **Questions**
   1. **General Instructions:** It is the responsibility of all Bidders and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.
      1. Bidders and other interested parties should use **Appendix E** (Submitted Questions Form) for submission of questions. The form is to be submitted as a WORD document.
      2. 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.
      3. 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](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). It is the responsibility of all interested parties to go to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.
2. **Amendments**

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

1. **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.
      1. Any e-mails containing original proposal submissions or any additional or revised proposal files, received after the 11:59 p.m. deadline, will be rejected without exception.
   2. **Delivery Instructions:** E-mail proposal submissions are to be submitted to the State of Maine Division of Procurement Services at [Proposals@maine.gov](mailto:Proposals@maine.gov).
      1. Only proposal submissions received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
         1. Proposal submission e-mails that are successfully received by the [proposals@maine.gov](mailto:proposals@maine.gov) inbox will receive an automatic reply stating as such.
      2. E-mails containing links to file sharing sites or online file repositories will not be accepted as submissions. Only e-mail proposal submissions that have the actual requested files attached will be accepted.
      3. Encrypted e-mails received which require opening attachments and logging into a proprietary system will not be accepted as submissions. Please check with your organization’s Information Technology team to ensure that your security settings will not encrypt your proposal submission.
      4. File size limits are 25MB per e-mail. Bidders may submit files separately across multiple e-mails, as necessary, due to file size concerns. All e-mails and files must be received by the due date and time listed above.
      5. Bidders are to insert the following into the subject line of their e-mail proposal submission: **“RFP# 202401019 Proposal Submission – [Bidder’s Name]”**
      6. 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*

**Appendix F** (Functional Requirements Matrix)

**Appendix G** (Technical Assessment)

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.

1. **Demonstrations**
   1. Bidders whose proposals meet the minimum scoring requirements in Stage 3 of the evaluation (see Part V, B, 2) will be invited to present a remote demonstration of the proposed system. The demonstrations will be targeted to elicit information on:
      1. Product functionality
      2. Bidder’s approach to implementing the software product for Maine; and
      3. Partnership during and after the engagement
   2. Bidders must have key resources in attendance that can demonstrate both delivered and configured software modules that are relevant to this procurement, the implementation approach (including tools to be used throughout the engagement for program management, configuration and requirements management, data migration, etc.), and operational support offered by the Bidder during and after the engagement.
   3. The State reserves the right to apply restrictions to the structure and content of the Bidder’s demonstration. Demonstrations will not be open to the public nor to any competitors. Failure of a Bidder to agree to a date and time may result in the proposal being disqualified as non-responsive or receiving a reduced score.
   4. The schedule, duration, agenda, and presentation details of the demonstrations will be arranged directly with the invited Bidders.

**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.

* 1. **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.

* 1. **Eligibility Requirements**

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

* Identify at least one (1) project provided as part of **Appendix C** (Qualifications and Experience Form) that demonstrates meeting the eligibility requirements stated in Part I, C. of the RFP.

**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. **Be sure to note if any projects demonstrate an enterprise system approach to delivering the solution to multiple departments.**

* 1. **Subcontractors**

If subcontractors are to be used, Bidders must provide a list that specifies the name, address, phone number, contact person, and a brief description of the subcontractors’ organizational capacity and qualifications.

* 1. **Organizational Chart**

Bidders must provide an organizational chart.  The organizational chart must include the project being proposed.  Each position must be identified by position title and corresponding to the personnel job descriptions.

* 1. **Litigation**

Bidders must attach a list of all current litigation in which the Bidder is named and a list of all closed cases that have closed within the past five (5) years in which the Bidder paid the claimant either as part of a settlement or by decree.  For each, list the entity bringing suit, the complaint, the accusation, amount, and outcome.

* 1. **Financial Viability**

Bidders must provide a current copy of their Dun & Bradstreet Business Information Report Snapshot.

* 1. **Licensure/Certification**

Bidders may provide documentation of any applicable licensure/certification or specific credentials that are related to providing the proposed services of the RFP.

* 1. **Certificate of Insurance**

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

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

* 1. **Services to be Provided**

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.

**Complete Appendix F** (Functional Requirements Matrix). For each requirement, identify whether the proposed solution meets, partially meets, does not meet, or can be met for an additional cost (outside of the cost proposal). Use the Bidder Response column to share clarifying information.

**Complete Appendix G** (Technical Assessment). Bidders are required to explain their compliance with the security requirements across all tabs on this spreadsheet. Any Yes/No/Not Applicable response without a supporting explanation will be deemed as incomplete and non-responsive.

* 1. **Implementation - Work Plan**

Provide a realistic work plan for the implementation of the program through the first contract period. Display the work plan in a timeline chart. Concisely describe each program development and implementation task, the month it will be carried out and the person or position responsible for each task. If applicable, make note of all tasks to be delegated to subcontractors.

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

* 1. **General Instructions**
     1. Bidders must submit a cost proposal that covers the period starting June 1, 2024 and ending on May 31, 2025.
     2. The cost proposal must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.
     3. 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:

1. **Evaluation Process – General Information**
   1. An evaluation team, composed of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP.
   2. Officials responsible for making decisions on the award selection will ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Bidder whose proposal provides the best value to the State of Maine.
   3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders, if needed, to obtain clarification of information contained in the proposals received. The Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. 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.
2. **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 – Eligibility Requirements)**

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

**Section II. Organization Qualifications and Experience (30 points)**

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

**Section III. Proposed Services (40 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.

* 1. **Scoring Process:** The evaluation and scoring of proposals will be conducted using a staged approach.  Proposals will be required to meet or exceed the stated minimum scoring requirements of the stage in which the proposal is being evaluated to move onto the next stage of evaluation.  Any proposal not meeting the stated minimum scoring requirements of a stage will be ineligible for award consideration and, at that point, be removed from the evaluation process.
     1. **Stage One – Eligibility:** Bidders must identify at least one (1) project provided as part of Appendix C (Qualifications and Experience Form) that demonstrates meeting the requirement described in Part I. C. “Eligibility to Submit Bids.” Proposals that do not identify a project that demonstrates meeting the eligibility requirement as described in Part I. C “Eligibility to Submit Bids” will be disqualified and therefore ineligible for award consideration. Proposals that are determined to have met the eligibility requirement will move on to Stage Two of the evaluation and scoring process.
     2. **Stage Two - Qualifications and Experience:** Proposals meeting the eligibility requirements outlined in Stage One will move on to be evaluated for Part IV, Section II “Organization Qualifications and Experience” and will be scored by the evaluation team using the consensus approach. Members of the evaluation team will not score this section individually but, instead, arrive at a consensus as to assignment of points for this section. Proposals will be able to earn up to a maximum of 30 points for this section, with a minimum score of 18 being required for a proposal to move onto Stage Three.
     3. **Stage Three - Proposed Services:** Proposals with a score of 18 or higher in Stage Two will move on to be evaluated for Part IV, Section III “Proposed Services” and will be scored by the evaluation team using the consensus approach. Members of the evaluation team will not score this section individually but, instead, arrive at a consensus as to assignment of points for this section. Proposals will be able to earn up to a maximum of 40 points with a minimum score of 24 being required to move onto Stage Four.
     4. **Stage Four – Demonstrations**: Proposals with a score of 24 or higher in Stage Three will move on to provide a demonstration to the evaluation team. The RFP Coordinator will contact Bidders who meet the minimum scoring requirement in Stage Three to request, at their own expense, a remote demonstration as outlined in Part III. D.

1. Following each demonstration, members of the evaluation team will arrive at a consensus regarding the degree to which the demonstration achieves the requirements of this RFP and supports the proposal submitted. The original score for Stage 3 may be adjusted (upward or downward) based on the outcome of the consensus following the demonstration. Proposals that maintain the required minimum score for Stage Three (24 points), will move onto Stage Five.
   * 1. **Stage Five - Cost Proposal:** Proposals which maintain the minimum score of 24 points for Stage Three after Stage Four Demonstrations will move on to be evaluated for PART IV, Section IV. “Cost Proposal”. The Cost Proposal will be scored according to the process defined below.
   1. **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.

* 1. **Negotiations:** The Department reserves the right to negotiate with the awarded Bidder to finalize a contract. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department’s Request for Proposal to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with an awarded Bidder who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

1. **Selection and Award**
   1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.
   2. Notification of conditional award selection or non-selection will be made in writing by the Department.
   3. Issuance of the RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to the RFP, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
   4. The Department reserves the right to reject any and all proposals or to make multiple awards.
2. **Appeal of Contract Awards**

Any person aggrieved by the award decision that results from the RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in [5 M.R.S.A. § 1825-E](http://www.mainelegislature.org/legis/statutes/5/title5sec1825-E.html) and [18-554 Code of Maine Rules Chapter 120](https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-120).  The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of conditional contract award.

**PART VI CONTRACT ADMINISTRATION AND CONDITIONS**

1. **Contract Document**
   1. The awarded Bidder will be required to execute a State of Maine IT Service Contract with appropriate riders as determined by the issuing department. Located in the contract are the terms and IT Policies a vendor will need to accept to conduct business with the State of Maine <https://www.maine.gov/oit/policies-standards>

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](https://www.maine.gov/dafs/bbm/procurementservices/forms)

* 1. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Procurement Review Committee. Contracts are not considered fully executed and valid until approved by the State Procurement Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to Bidders. (Referenced in the regulations of the Department of Administrative and Financial Services, [Chapter 110, § 3(B)(i)](https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-110).)

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

* 1. The State recognizes that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Procurement Review Committee. Any appeals to the Department’s award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date listed in the RFP may need to be adjusted, if necessary, to comply with mandated requirements.
  2. In providing services and performing under the contract, the awarded Bidder must act as an independent contractor and not as an agent of the State of Maine.

1. **Standard State Contract Provisions**
   1. Contract Administration

Following the award, a Contract Administrator from the Department will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the awarded Bidder in the finalization of the contract.

* 1. Payments and Other Provisions

The State anticipates paying the Contractor on the basis of net 30 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from the RFP.

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

**Appendix A** – Proposal Cover Page

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

**Appendix C** – Qualifications and Experience Form

**Appendix D** – Cost Proposal Form

**Appendix E** – Submitted Question Form

**Appendix F** – Functional Requirements Matrix

**Appendix G** – Technical Assessment

**APPENDIX A**

**State of Maine**

**Department of Agriculture, Conservation and Forestry**

**PROPOSAL COVER PAGE**

**RFP# 202401019**

**Consumer Safety Licensing System**

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

* This proposal and the pricing structure contained herein will remain firm for a period of 180 days from the date and time of the bid opening.
* No personnel currently employed by the Department or any other State agency participated, either directly or indirectly, in any activities relating to the preparation of the Bidder’s proposal.
* No attempt has been made, or will be made, by the Bidder to induce any other person or firm to submit or not to submit a proposal.
* The above-named organization is the legal entity entering into the resulting contract with the Department if they are awarded the contract.
* The undersigned is authorized to enter contractual obligations on behalf of the above-named organization.

*To the best of my knowledge, all information provided in the enclosed proposal, both programmatic and financial, is complete and accurate at the time of submission.*

|  |  |
| --- | --- |
| **Name (Print):** | **Title:** |
| **Authorized Signature:** | **Date:** |

**APPENDIX B**

**State of Maine**

**Department of Agriculture, Conservation and Forestry**

**DEBARMENT, PERFORMANCE, and NON-COLLUSION CERTIFICATION**

**RFP# 202401019**

**Consumer Safety Licensing System**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |

*By signing this document, I certify to the best of my knowledge and belief that the aforementioned organization, its principals and any subcontractors named in this proposal:*

1. *Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.*
2. *Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:*
   1. *Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or contract.*
   2. *Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.*
3. *Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification.*
4. *Have not within a three (3) year period preceding this proposal had one or more federal, state, or local government transactions terminated for cause or default*.
5. *Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above-mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.*

|  |  |
| --- | --- |
| **Name (Print):** | **Title:** |
| **Authorized Signature:** | **Date:** |

**APPENDIX C**

**State of Maine**

**Department of Agriculture, Conservation and Forestry**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202401019**

**Consumer Safety Licensing System**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |

|  |
| --- |
| **Present a brief statement of qualifications. Describe the history of the Bidder’s organization, especially regarding skills pertinent to the specific work required by the RFP and any special or unique characteristics of the organization which would make it especially qualified to perform the required work activities. You may expand this form and use additional pages to provide this information.** |
|  |

**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.** |
| **Which project(s) defined below demonstrates meeting the eligibility requirements defined in Part I, C of the RFP?** *(check all that apply)*  **Project One**  **Project Two**  **Project Three**  **It is the responsibility of all Bidders to clearly describe the Bidder’s involvement in the project in order to demonstrate that the eligibility requirement is met.** |

|  |  |
| --- | --- |
| **Project One** | |
| **Client Name:** |  |
| **Client Contact Person:** |  |
| **Telephone:** |  |
| **E-Mail:** |  |
| **Project Start and End Dates:** |  |
| **Brief Description of Project** | |
|  | |

|  |  |
| --- | --- |
| **Project Two** | |
| **Client Name:** |  |
| **Client Contact Person:** |  |
| **Telephone:** |  |
| **E-Mail:** |  |
| **Project Start and End Dates:** |  |
| **Brief Description of Project** | |
|  | |

|  |  |
| --- | --- |
| **Project Three** | |
| **Client Name:** |  |
| **Client Contact Person:** |  |
| **Telephone:** |  |
| **E-Mail:** |  |
| **Project Start and End Dates:** |  |
| **Brief Description of Project** | |
|  | |

# **APPENDIX D**

**State of Maine**

**Department of Agriculture, Conservation and Forestry**

**COST PROPOSAL FORM**

**RFP# 202401019**

**Consumer Safety Licensing System**

|  |  |  |
| --- | --- | --- |
| **Bidder’s Organization Name:** |  | |
| **Schedule A – Fixed Price Amount** | | **$** |
| **Schedule B – Managed Services** | | **$** |
| **Total Bid Price – Schedules (A+B) =** | | **$** |

Use the tables below to detail the cost proposal. Schedules A and B must be filled out in their entirety. Schedule C is for informational purposes and will not be considered in the cost evaluation.

1. **Schedule A – Fixed Price Amount**

Pricing Schedule A summarizes the price for all Bidder activities for phases 1, 2, and 3, including all activities related to services described in this RFP, for the required service components.

|  |  |
| --- | --- |
| **Payment Deliverable** | **Fixed Price Amount** |
| Phase 1: Project Initiation and Discovery |  |
| Phase 2: Implementation |  |
| Phase 3: Training |  |
| **Total Fixed Price Amount (copy to table above)** |  |

1. **Schedule B – Phase 4 – Managed Services**

Pricing Schedule B – Bidders must list all other costs that are not included in the Fixed Price Amount from Schedule A.

|  |  |
| --- | --- |
| **Item** | **Initial Period (1 year)** |
| Licensing (based on 35 licenses) |  |
| Hosting |  |
| Support/Maintenance |  |
| Other (identify) |  |
| **Total Managed Services (copy to table above)** |  |

1. **Schedule C – Renewal Costs (not included in Total Bid Price)**

|  |  |  |
| --- | --- | --- |
| **Item** | **Renewal Period #1**  **(2 years)** | **Renewal Period #2**  **(2 years)** |
| Licensing (35 licenses) |  |  |
| Hosting |  |  |
| Support/Maintenance |  |  |
| Other (identify) |  |  |
| **Total Cost/Period** |  |  |

**APPENDIX E**

**State of Maine**

**Department of Agriculture, Conservation and Forestry**

**SUBMITTED QUESTIONS FORM**

**RFP# 202401019**

**Consumer Safety Licensing System**

This form should be used by Bidders when submitting written questions to the RFP Coordinator as defined in Part III of the RFP.

If a question is not related to any section of the RFP, enter “N/A” under the RFP Section & Page Number. Add additional rows as necessary.

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

|  |  |
| --- | --- |
| **RFP Section & Page Number** | **Question** |
|  |  |
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**APPENDIX F**

**State of Maine**

**Department of Agriculture, Conservation and Forestry**

**FUNCTIONAL REQUIREMENTS MATRIX**

**RFP# 202401019**

**Consumer Safety Licensing System**

For each requirement, identify whether the proposed solution meets, partially meets, does not meet, or can be met for an additional cost (outside of the cost proposal). Use the Bidder Response column to provide supporting information.

The Functional Requirements Matrix may be obtained by double clicking on the Excel icon below.



**APPENDIX G**

**State of Maine**

**Department of Agriculture, Conservation and Forestry**

**TECHNICAL ASSESSMENT**

**RFP# 202401019**

**Consumer Safety Licensing System**

Bidders are required to explain their compliance with the security requirements across all tabs on the spreadsheet embedded below. Any Yes/No/Not Applicable response without a supporting explanation will be deemed as incomplete and non-responsive.

The Technical Assessment may be obtained by double clicking on the Excel icon below.

