**STATE OF MAINE**

**Department of Marine Resources**

*Bureau of Marine Patrol*



**RFP# 202402043**

**Repower of a Webber Cove-29**

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| --- | --- |
| **RFP Coordinator** | *All communication regarding the RFP must be made through the RFP Coordinator identified below*.**Name:** Matt Talbot **Title:** Marine Patrol Colonel**Contact Information:** matt.talbot@maine.gov |
| **Bidders’ Conference** | **Date:** March 4, 2024, **Time:** 10:00 a.m., local time**Location:** DMR Watercraft Repair Facility, 15 Vieno’s Run, Rockland, Maine 04841  |
| **Submitted Questions Due** | *All questions must be received by the RFP Coordinator identified above by:***Date:** March 6, 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:** March 18, 2024, no later than 11:59 p.m., local time.*Proposals must be submitted electronically to:* Proposals@maine.gov |

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 PUBLIC NOTICE

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**State of Maine**

**Department of Marine Resources**

**RFP# 202402043**

**Repower of a Webber Cove-29**

The State of Maine is seeking proposals for the repower and rehabilitation of a 2001 Webber Cove-29 patrol vessel.

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>

A Bidders’ Conference will be held on March 4, 2024 at 10:00 a.m. at the following location: DMR Watercraft Repair Facility, 15 Vieno’s Run, Rockland, Maine 04841

Proposals must be submitted to the State of Maine Division of Procurement Services, via e-mail, at: Proposals@maine.gov. Proposal submissions must be received no later than 11:59 p.m., local time, on March 18, 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** |
| **ABYC** | American Boat and Yacht Council |
| **Contractor** | The successful bidder awarded the contract |
| **Department** | Department of Marine Resources |
| **RFP** | Request for Proposal |
| **State** | State of Maine |

**State of Maine - Department of Marine Resources**

*Bureau of Marine Patrol*

**RFP# 202402043**

**Repower of a Webber Cove-29**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Department of Marine Resources (Department) is seeking proposals to provide the repower and rehabilitation of a Webber Cove-29 lobster boat-style patrol vessel as defined in this Request for Proposal (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the awarded Bidder will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Bidder.

The Department maintains a fleet of fiberglass lobster boat-style patrol vessels used for marine fisheries and boating safety enforcement, as well as search and rescue. The Maine lobster boat design provides an effective and safe platform for officers to conduct patrol work, including hauling and inspecting lobster fishing gear, along Maine’s coastline. The subject vessel is used by the Bureau of Marine Patrol as a law enforcement patrol vessel. The subject vessel is 22 years old and in sound condition, however the vessel requires a replacement of the original inboard diesel engine and gear, as well as general rehabilitation of the fiberglass hull, cabin, and primary marine systems.

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. **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 no 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 | April 1, 2024 | October 31, 2024 |

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**

The Department is repowering and refurbishing a fiberglass Webber Cove-29 Maine lobster boat-style patrol vessel. The Department requires the vessel capable of safely and effectively operating within Maine’s coastal waters at a distance of 20 nautical miles from shore during all months of the year. The Department currently owns a 2001 30’ Webber Cove-29 fiberglass lobster boat that is in operational condition. The Department is in search of a boatyard to repower the vessel with an appropriately sized marine diesel engine and gear so as the vessel may continue to be capable of meeting the Department’s patrol needs. The vessel will also require rehabilitation of the exterior fiberglass hull and cabin; cleaning and repair of the interior hull and cabin; inspection and repair as necessary of all marine systems including fuel, exhaust, raw water, hydraulic, and electrical,

The Department has identified specific equipment, materials, and services required for this project. Much of this equipment, materials, and services have been outlined within this RFP, but all aspects are open to consultation and modification so as the finished product will result in the best possible outcome and value for the State.

Bidders are being asked to submit proposals for this project. The Contractor will be responsible for transporting the vessel and the new engine to the Contractor’s facility and all work is expected to be performed at the awarded Contractor’s own facility.

1. **Minimum Specifications for this Project**

The following list of requirements for this project are mandatory for any proposals that a bidder submits. The Department requires that all items on this list be addressed and met to the listed specifications at a minimum regardless of any alternative proposals.

* 1. Incorporation of State supplied 30’ Webber Cove-29 vessel.
	2. Incorporation of State specified marine diesel engine and gear.
	3. Access to vessel at Contractor’s facility by Department personnel or others to install State supplied marine navigation electronics.
	4. Construction materials used shall meet marine industry standards and/or commonly used aboard Maine commercial fishing vessels of similar construction.
1. **Technical Information / Vessel Description**
	1. **Certification and Design Criteria**
2. The vessel shall operate as an uninspected vessel under the provisions of [46 United State Code, 2101](https://www.govinfo.gov/app/details/USCODE-2011-title46/USCODE-2011-title46-subtitleII%26collectionCode%3DUSCODE).
3. All equipment provided and installed shall meet current [American Boat and Yacht Council standards](https://abycinc.org/).
4. The contractor will provide a one-year warranty against workmanship he has provided and shall provide said warranty in writing.
	1. **Materials and Workmanship**
5. Insofar as possible, similar items of machinery and equipment such as electric motors, starters, controllers, distribution panels, etc.… shall be from the same manufacturer in order for the parts to be compatible and/or interchangeable.
6. Screw threads, pipe connections and fits shall conform to ANSI standards.
7. Piping and plumbing shall run as directly as practicable with a minimum number of bends and fittings and with sufficient joints and shut-offs to provide for removal, inspection, servicing, and replacement of piping, valves, fittings, and equipment.
	1. Piping and plumbing shall be adequately supported by hangers suitable for the material and service and will be properly protected from chafe with conduit or similar means.
	2. Piping insulation shall be applied to all piping systems that operate over 165 degrees F.
8. Electrical wiring shall run as directly as practicable with a minimum number of connectors and splices;
9. Wiring shall consist of the proper gauge for the expected electrical load and be properly insulated, grounded, fused, and breakered.
10. Wiring shall be properly supported by hangers and zip-ties; all wiring will be properly protected from chafe with conduit or similar means.
	1. **Performance**
11. Sound decibel readings in the main cabin/saloon will not exceed 87DB at eye level at the inside helm when running at cruising speed.
	1. **Hull**
12. Fiberglass hull shall be repaired and rehabilitated as necessary, including currently known defects.
13. Repair of area on starboard side above the waterline forward of hauler that has been identified as containing high moisture levels.
14. Prep and Awlgrip hull in white.
15. Wax hull.
16. Soda blast or sand hull below waterline and barrier coat.
17. Recoat hull below waterline with three coats antifouling bottom paint; color to be specified by Department.
	1. **Soles**
18. The cockpit/deck sole and substructure will be inspected for damage or areas of concern.
19. The top surface gelcoat will be inspected and recoated if necessary to ensure appropriate surface integrity and non-slip footing for personnel.
	1. **Top Kit**
20. Fiberglass cabin top shall be repaired and rehabilitated as necessary, including currently known defects.
21. Removal of cabin top handrails and repair of cored fiberglass areas that have been identified as containing high moisture levels.
22. Removal of cabin windows and inspection and repair of cored fiberglass areas adjacent to and below the windows that have been identified as containing high moisture levels.
23. Repair of gelcoat as necessary, to include repair of chips, cracks, and overall reconditioning.
24. Re-gelcoat winterback doors.
25. Recoat non-skid on washrails and cabin top.
26. Buff and wax cabin
	1. **Engine & Transmission**
27. Remove existing Volvo Penta TAMD 63 marine diesel engine and ZF gear.
28. Install a Cummins QSB6.7 Slimline marine diesel engine and Twin Disc 5065 marine gear.
	1. Cummins QSB6.7 Inline 6-cylinder, turbocharged,4-stroke marine diesel engine. Tier 3, 6.7L, common rail fuel system, 425 horsepower at 3000 rpm.
	2. Twin Disc 5065 marine transmission with live PTO
29. **Systems and Machinery**
	1. **Engine Cooling and Exhaust System**

Inspect, repair, and/or replace exhaust system components as necessary for compatibility with new Cummins diesel engine and for proper and safe vessel operation. Engine exhaust system to be inspected and modified as necessary to:

1. Have a raw water-cooling system through a heat exchanger.
2. Single exhaust turbo: water cooled.
3. Wet exhaust components aft of engine turbo, including but not limited to exhaust riser, exhaust tube, muffler, fittings as specified in section C-3.
4. Raw water supplied from thru-hull fitting per manufacturer specifications and a bronze raw water strainer.
	1. **Fuel System**

Inspection, repair, and modification of the diesel fuel system as necessary to support proper operation of newly installed Cummins diesel engine.

1. Exhaust components to be replaced if defects identified or to meet engine manufacturer requirements.
2. Existing fiberglass tanks to be drained and tested to 3 PSI.
3. Fuel fills and vents to be inspected and repaired if necessary.
4. Supply and return lines to be inspected and replaced if necessary.
5. All fuel supply and return lines that are replaced should be Aeroquip hose and fittings.
6. Fuel shut-off valves inspected and replaced if necessary.
7. Tank vents inspected and replaced if necessary.
8. Inspection, repair, or modification of Racor fuel filter system as necessary.
9. FC-234 USCG approved hose for all engine fuel system supply and return lines.
	1. **Driveline**
		1. Existing stainless-steel shaft to be utilized provided it meets requirements of newly installed Cummins diesel engine and Twin Disc gear.
		2. Existing shaft bearings/cutless and stuffing box to be inspected and repaired/replaced as necessary.
	2. **Propeller**
10. Appropriate prop dimensions to be determined to maximize engine efficiency and speed.
11. If different than current prop, State shall provide new prop for installation by Contractor.
	1. **Steering Gear**
12. Existing steering gear will be inspected and repaired/replaced as necessary.
	1. **Rudder**
13. Rudder, rudder port, bearing, and heel casting to be inspected and repaired/replaced as necessary.
	1. **Heat**
14. 12v bus heater type unit to be inspected and repaired/replaced as necessary.
15. AC block heater for main engine to be installed.
	1. **Washdown**
		1. Existing engine driven washdown pump configuration to be inspected and repair/rehabilitated or replaced if necessary.
	2. **Ventilation**

1. Air intake into engine room inspected and modified as necessary per Cummins engine manufacturer specifications.
	1. **Firefighting**
2. Replacement of current engine compartment fire suppression system with new Automatic/manual deployed Fireboy fire suppression system, appropriately sized, installed in engine room with automatic/manual release at helm station.
	1. **Electrical**
		* 1. All electrical wiring and panels to be inspected and repaired/replaced as necessary.
			2. New or replacement electrical equipment shall conform to USCG and ABYS standards.

**Bonding**

1. Inspect existing bonding/grounding system.
2. Contractor to consult with engine supplier as to proper tie-in of the engine to the bonding system if applicable.

**Shore Power**

1. Install new 30A shore power connection.
2. Install battery charger/tender for house and engine start batteries.

**DC Power**

1. Existing house and engine 12v battery banks inspected, load tested, and replaced as necessary.
2. State to supply battery(s) if replacement is required.
	1. **Hydraulic System and Pot Hauler**
3. Existing hydraulic pot hauler hydraulic system, tank, pump, hoses, and fittings to be inspected and repaired/replaced as necessary. Current fluid leak repaired, pump reconditioned and serviced, fluid and filter changed.
4. Existing hydraulic steering system, tank, pump, hoses, and fittings to be inspected and repaired/replaced as necessary. Fluid and filter changed.
5. **Interior**
	1. **General**
6. All interior fiberglass hull surfaces to be cleaned, repaired, and repainted, including forward cabin area and engine room bilge area.
7. Overheads in forward cabin and at cockpit/helm to have white foam headliner removed and replaced with new headliner.
8. Forward cabin sole to be repainted and have light nonskid.
9. Helm dashboard fiberglass to be modified to accommodate new engine electronics and navigation electronics.
10. Winterback to be re-gelcoated.
11. Engine box modified if necessary to accommodate new engine; inspected and modified if necessary to ensure water exclusion from deck to engine compartment.

* 1. **Sound Insulation**
1. All motorized machinery to be isolated with rubber isolators.
2. Sound insulation must meet required decibel level as stated in Part II-B-3-a.

1. **Exterior**
	1. **General**
2. Exterior cabin tops and gunwales to be recoated with grey medium nonskid maintaining existing borders.
3. All cut-outs for windows will be inspected for moisture intrusion and de-cored, filled, and glassed over with a West System or vinyl ester product if necessary before reinstallation of windows.
4. Hull and cabin to be buffed and waxed.

* 1. **Windows and Doors**
1. Main Cabin/pilot house windows to be inspected for serviceability and replaced as necessary.
2. Front window at helm station to be replaced with split window of same make, as available.
3. All window/door cut-outs or other breaches in material throughout vessel to be inspected for moisture intrusion and sealed for maximum protection against water intrusion into core material.
4. Winterback doors to be re-gelcoated.
5. Front wiper motors and arms to be replaced.
	1. **Hatches and Portlights**
6. Forward cabin trunk portlights and top hatch to be inspected for serviceability and moisture intrusion and repair or replaced as necessary.
7. Exterior deck hatches to be inspected for serviceability. Gaskets should be replaced if needed.
	1. **Rubrail, Quarter Guard, and Spray Rails**
8. Rubrail, lower guard or quarter guard, and forward spray rails to be inspected, repaired, or replaced as necessary.
9. Inspect stainless steel oval or flat stock on rails for damage; resecure or replace as necessary.
	1. **Hardware**
10. Inspect the existing mast base for water intrusion, repair if necessary.
11. If any deck hardware is replaced, all new deck hardware will be stainless steel unless otherwise noted and will be appropriately fastened and bedded; backing plates will be used whenever possible.
12. Stainless steel hauling plate on starboard side hull to be extended forward to avoid further fiberglass damage.
	1. **Paint**
13. The hull from waterline to below will be painted with ablative anti-fouling bottom paint.
	1. Three coats minimum; single base coat and alternate color finish coats, finish colors to be black.
14. Boot-top to be re-painted with Awlgrip or other appropriate type paint.
15. Replace painted or vinyl lettering for vessel name and hailing port; vessel name on port and starboard bow; vessel name and hailing port on stern.
16. Marine Patrol lettering on port and starboard sides of cabin trunk to be removed.

 **Change Orders**

* 1. **Right to add/delete/modify design components, materials, or equipment**

The Department may make change order requests to the Contractor or may approve change order proposals from the Contractor for changes to specified design components, materials, or equipment previously agreed upon and specified in the award when in the Department’s opinion the change is in the best interest of the Department.

Change order requests may result in increased or reduced expense and therefor all change orders will be documented and approved by both the Contractor and the Department prior to completion.

1. **Inspection / Rejection of Work**
	1. **Right to inspect**

Following the award, the Contractor shall consult with the Department and prepare a complete calendar of events to assist in planning for inspection. The calendar may be altered as required as work progresses given suitable advance notice to the Department in writing of alterations to the timeline.

Periodic scheduled inspections of the vessel and work completed or in progress will be outlined. The schedule of inspections will not prohibit the Department from conducting unscheduled inspections during the Contractor’s regular hours of operation or as otherwise mutually agreed upon.

The Department reserves the ability to reject any and all work that does not meet the specifications outlined in the contract.

1. **Sea Trials**
	1. **Notice**

The Contractor will provide the Department at least ten (10) days advance notice in writing of the approximate time and place of each trial run for the vessel and shall again receive at least five (5) days advance notice in writing of the definite time and place of each trail run for the vessel. Notices shall specify the port from which the vessel will commence its trial runs.

* 1. **Defects Upon Trials**

If the trails and tests reveal any failure of the vessel or its systems, except for failure of Department furnished equipment properly installed by the Contractor, the Contractor shall make corrective actions and further trail or test as necessary to demonstrate compliance with the contract.

* 1. **General**

Work performed and equipment or materials installed shall be thoroughly tested to demonstrate that all specified requirements of the contract have been met, including but not limited to:

* + 1. Satisfactory workmanship,
		2. Adequate strength, rigidity, tightness, and suitability for the purpose intended.
		3. Provision for and maintenance of proper clearances of all moving parts and for lines of sight

The Contractor shall bear expenses, furnish fuel, water, lubricating oil, special instruments, and supplies required to conduct tests and trials both dockside and underway.

1. **Delivery and Acceptance**
	1. **Manner of Delivery and Acceptance**

When all trials, tests, and inspections have been successfully completed, the vessel shall be delivered to the Department at a location mutually agreed upon by the Contractor and the Department or to the Department of Marine Resources dock facility in Rockland Harbor after at least a fifteen (15) day notice of the expected date of completion, free and clear of all liens, security interests, taxes, and claims of any nature and thus legally entitled to depart for the Department’s home port.

* 1. **Major Deficiencies**

The existence of any major deficiencies affecting the safe navigation or immediate efficient use of the vessel for its intended service will be sufficient cause to refuse delivery pending the correction of the items of concern; the delay in delivery resulting from deficiencies shall be a matter of the Contractor’s responsibility. The existence of a large number of uncorrected minor deficiencies will likewise be cause for refusal of delivery until their number has been reduced to an acceptable level, as determined by the Department.

* 1. **Certain Materials to be Delivered**
		1. Effective with the signing of the contract, when the Contractor or the Contractor’s designated agent produces or amends any plans, specifications or other material, a copy of each item will be promptly forwarded to the Department.
		2. If requested by the Department, the Contractor will provide a confirmation letter stating that all equipment and furnishings provided and/or installed meet current ABYC standards for vessels of this size and class.
		3. The Contractor will provide one copy of all instruction manuals related to equipment, machinery, furnishings, etc…
		4. If requested by the Department, the Contractor will provide a list of all suppliers and subcontractors (name, address, contact information) engaged in the construction of the vessel, along with details of the service or materials they provided.
		5. If requested by the Department, the Contractor will provide torsional analysis of the complete drivetrain showing the engine manufacturer’s acceptance.
	2. **Incomplete Work**

In the event any portion of the work has not been completed at the time of vessel delivery or has been completed but does not fully meet the requirements and conditions of this contract including, without limitation, the plans and specifications and the Department elects to accept delivery of the vessel subject to completion or correction of such deficiencies, the Contractor and Department shall make a written inventory of such deficiencies and agree upon the time and manner in which they shall be corrected or completed prior to delivery and acceptance of the vessel.

* 1. **Lubricating Oil, Fuel, and Water**

The vessel shall be returned to the Department with appropriate fluid reservoir levels for normal operation, including but not limited to engine coolant, lubricating oil, and hydraulic fluid. Diesel fuel tanks shall be returned full. All machinery shall be properly lubricated as appropriate for normal operations.

1. **Removal of Vessel**
	1. **Delay**

In the event that the contract delivery date is delayed for an aggregate of 45 days by any cause, the Department shall have the right to:

* + 1. Cancel this contract if work has not commenced, in which event the Contractor shall refund all payments made by the Department; or
		2. Remove the vessel from the Contractor’s facility along with any materials owned by the Department for completion of the vessel project elsewhere at the Department’s expense; in such case the Department shall pay to the Contractor the cost of all materials and labor incorporated in the vessel and the cost of all materials (other than Department furnished equipment) received by the Contractor and not incorporated into the vessel, less all prior payments, whereupon the obligations of the parties hereunder shall terminate.

**PART III KEY RFP EVENTS**

1. **Bidders’ Conference**

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

1. **Questions**
	1. **General Instructions:** It is the responsibility of all Bidders and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.
		1. Bidders and other interested parties should use **Appendix E** (Submitted Questions Form) for submission of questions. 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.
		1. Only proposal submissions received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
			1. Proposal submission e-mails that are successfully received by the proposals@maine.gov inbox will receive an automatic reply stating as such.
		2. E-mails containing links to file sharing sites or online file repositories will not be accepted as submissions. Only e-mail proposal submissions that have the actual requested files attached will be accepted.
		3. Encrypted e-mails received which require opening attachments and logging into a proprietary system will not be accepted as submissions. 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# 202402043 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*

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

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

*PDF format preferred*

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

**PART IV PROPOSAL SUBMISSION REQUIREMENTS**

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

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

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

**Proposal Format and Contents**

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

* 1. **Proposal Cover Page**

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

* 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.

**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.

* 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 the following information for each of the past three tax years:

* + 1. Balance Sheets
		2. Income (Profit/Loss) Statements
	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.

* 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 April 1, 2024 and ending on October 31, 2024.
		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 (25 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 (35 points)**

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

* 1. **Scoring Process:** For proposals that demonstrate meeting the eligibility requirements in Section I, the evaluation team will use a consensus approach to evaluate and score Sections II & III above. Members of the evaluation team will not score those sections individually but, instead, will arrive at a consensus as to assignment of points for each of those sections. Sections IV, the Cost Proposal, will be scored as described below.
	2. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in the RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded 35 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 (35) = pro-rated score

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

* 1. **Negotiations:** The Department reserves the right to negotiate with the awarded Bidder to finalize a contract. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department’s Request for Proposal to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with an awarded Bidder who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.
1. **Selection and Award**
	1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.
	2. Notification of conditional award selection or non-selection will be made in writing by the Department.
	3. Issuance of the RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to the RFP, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
	4. The Department reserves the right to reject any and all proposals or to make multiple awards.
2. **Appeal of Contract Awards**

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

**PART VI CONTRACT ADMINISTRATION AND CONDITIONS**

1. **Contract Document**
	1. The awarded Bidder will be required to execute a State of Maine Service Contract with appropriate riders as determined by the issuing department.

The complete set of standard State of Maine Service Contract documents, along with other forms and contract documents commonly used by the State, may be found on the 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.

* Engine and gear received – Cost of Engine and gear
* Project completed and ready for launch – Balance of Service Contract

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

**Appendix A** – Proposal Cover Page

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

**Appendix C** – Qualifications and Experience Form

**Appendix D** – Cost Proposal Form

**Appendix E** – Submitted Question Form

**APPENDIX A**

**State of Maine**

**Department of Marine Resources**

**PROPOSAL COVER PAGE**

**RFP# 202402043**

**Repower of a Webber Cove-29**

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

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

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

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

**APPENDIX B**

**State of Maine**

**Department of Marine Resources**

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

**RFP# 202402043**

**Repower of a Webber Cove-29**

|  |  |
| --- | --- |
| **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 Marine Resources**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202402043**

**Repower of a Webber Cove-29**

|  |  |
| --- | --- |
| **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.***If the Bidder has not provided similar services, note this, and describe experience with projects that highlight the Bidder’s general capabilities.*  |

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

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

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

**APPENDIX D**

**State of Maine**

**Department of Marine Resources**

**COST PROPOSAL FORM**

**RFP# 202402043**

**Repower of a Webber Cove-29**

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

Proposed Cost to be broken down to the following categories:

|  |  |
| --- | --- |
| **Equipment, Materials, Service** |  |
| * **Engine:**
 | **$** |
| * **Marine transmission gear:**
 | **$** |
| * **Installation of Engine**
 |  |
| * + **Removal of existing engine:**
 | **$** |
| * + **Installation of new engine:**
 | **$** |
| * + **Additional modification work for repower:**
 | **$** |
| * + **Other:**
 | **$** |
| * **Interior Refurbishment (Hull, cabin, dash):**
 | **$** |
| * **Exterior Refurbishment (Hull repair, gelcoat, cabin top, windows, winterback):**
 | **$** |
| * **Fuel system repairs, modifications, and diesel fuel:**
 |  |
| * **Replacement of fixed fire suppression system:**
 |  |
| * **Hydraulic system repairs, modifications, fluid change:**
 |  |
| * **All Other:**
 | **$** |
| **Transportation, Launch, Sea Trails:** | **$** |
| **All Other:** | **$** |
| **Grand Total (should match Proposed Cost at top of page)** | **$** |

Please note: The Proposed Cost listed at the top of this page is the only figure that will be used in the calculation of points for Cost Proposal in evaluation. The breakdown of costs in the lower table is for informational purposes only.

 **APPENDIX E**

**State of Maine**

**Department of Marine Resources**

**SUBMITTED QUESTIONS FORM**

**RFP# 202402043**

**Repower of a Webber Cove-29**

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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