**STATE OF MAINE**

**Judicial Branch**

*Facilities*



**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

|  |  |
| --- | --- |
| **RFP Coordinator** | *All communication regarding the RFP must be made through the RFP Coordinator identified below*.  **Name:** Connor Smith **Title:** Procurement Manager  **Contact Information:** connor.smith@courts.maine.gov |
| **Bidders’ Conference** | **Date:** 25 March, 2024 **Time:** 10:00 AM, local time  **Location:** York Judicial Center, 515 Elm Street, Biddeford, Maine |
| **Submitted Questions Due** | *All questions must be received by the RFP Coordinator identified above by:*  **Date:** 27 March, 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:** 10 April, 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**

**Maine Judicial Branch**

**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

The State of Maine is seeking proposals for lawn care services at the York Judicial Center.

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 25 March, 2024 at 10:00 AM at the following location: York Judicial Center, 515 Elm Street, Biddeford, Maine.

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 10 April, 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.

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**RFP TERMS/ACRONYMS with DEFINITIONS**

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

|  |  |
| --- | --- |
| **Term/Acronym** | **Definition** |
| **Department** | Maine Judicial Branch Facilities |
| **MJB** | Maine Judicial Branch |
| **RFP** | Request for Proposal |
| **State** | State of Maine |

**State of Maine – Judicial Branch**

*Facilities*

**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Maine Judicial Branch (MJB) is seeking lawn care services for the York Judicial Center 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 following specifications provide for accomplishing lawn maintenance services for the York Judicial Center, 515 Elm Street, Biddeford, Maine. Lawn care/ grounds maintenance includes, but is not limited to, mowing, trimming, weed trimming, pruning, mulching, watering, and general cleanup / maintenance of grounds area. This RFP includes an overall site plan, planting plan, planting schedule, and planting details for the YJC lawn care bidders.

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 2 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 15, 2024 | April 14, 2025 |
| Renewal Period #1 | April 15, 2025 | April 14, 2027 |
| Renewal Period #2 | April 15, 2027 | April 14, 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. **DESCRIPTION OF WORK**: The work to be accomplished consists of performing lawn maintenance services at the above-named facility site as outlined below.

**Part One: Lawn Maintenance Consideration**

**1. Mowing, Edging and Trimming:** All turf areas shall be mowed on an as needed basis, often enough that no more than 1/3 of the leaf blades are removed per mowing. Mower blades will be sharp at all times to provide a quality cut. Mowing height will be adjusted for the seasons: Spring height is 1.5 to 2.5 inches, summer height is 2.5 to 3.5 inches, and Fall is 1.5 to 2.0 inches. All clippings will be collected and hauled off site.

**2. Edging:** Tree rings, plant beds, buildings, sidewalks, fences, driveways, parking lots and other surface areas bordered by grass will be edged by use of a power edger. Sidewalks are to be edged as often as necessary during the growing season to insure a neat appearance. Grass and weeds growing in cracks of walks and parking lots are to be removed regularly.

**3. Tree Rings:** Isolated trees and shrubs smaller than 12” caliber at their base growing in lawn areas will require mulched areas around them (minimum 2-foot diameter) to avoid bark injury from mowers and filament line trimmers and to reduce root competition from grass. The cost of this mulch for those trees and shrubs that are already treated in this manner as well the cost to renovate trees and shrubs that do not have “mulched tree rings,” will be included as part of the awarded contract.

**4.** **Trash Cleanup***:* Contractor will clean all clippings from walkway and sidewalk surfaces, parking lots, curbs, and roadways immediately after mowing and/or edging. Clippings will not be swept, blown or otherwise disposed of into sewer drains. The contractor will be responsible for the removal of all visible clippings off site. Before each lawn mowing, the Contractor shall pick up paper and/or trash and dispose of such material. Such disposal may be done in dumpster on site.

**5. Fertilization:** Fertilizer/ Weed control applications will be done to all turf areas in both spring and fall, consisting of two (2) total applications. Fertilizer is to be applied in a slow or controlled release form. Herbicide shall be applied as necessary for the control of dandelions and other broad-leafed weeds. Pre-emergence weed seed treatment shall be applied no later than May 15 for the control of crab grass and other annual grasses. The cost of fertilizer and herbicide for all turf areas will be included as part of the awarded contract.

**6. Pest Control:** The contractor will make sure that grub control is applied to all lawn areas prior to May 1st.

The Contractor will inspect lawn areas each visit for indications of pest problems and advise the client or representative of such problems. Upon confirmation of a specific problem requiring treatment, pesticides will be applied as needed on a spot treatment basis, whenever possible, using the least toxic, effective pesticide. All spraying of pesticides and fertilizer applications will be performed when temperatures are below 90 degrees Fahrenheit and wind drift negligible. No pesticides will be applied to turf areas without the express approval of the client. This includes weed and feed formulations. Records will be turned in to the client any time that fertilizer, weed and feed, pesticides, or herbicides are used; records will state the date, time, area, name of chemical, and amount of treatment used. This same specification is required for pests identified and treatment(s) rendered for their control. The cost of all pest control service will be included as part of the awarded contract.

**Pesticides / herbicides and fertilizers applications will be made in accordance with the rules and regulations governing their use by the** [**Maine Board of Pesticide Control**](https://www.maine.gov/dacf/php/pesticides/laws.shtml)**. Posting and notification, in advance of treatment, for pesticide sensitive persons must be done.**

**7. Emergency Access Road:** The 24’ wide emergency access gravel road that starts at the satellite parking lot and exits onto Hill Street is utilized as a first responder emergency access road with lock gates at each end. The areas all along the gravel road to the tree clearing will need to be maintained to a height below 12” and done on an as needed basis.

**8. Spring / Fall Clean Up:** The first trip each Spring will be a clean-up to the site so that the Contractor can mow the next trip. Removal of sand, filling of ruts, some raking, seeding, mulching, picking up tree branches, repairing any lawn damage caused by plowing, and picking up any other winter debris from property can be expected during the first Spring clean-up. All spring clean-up debris is to be disposed of off-site.

Fall clean up consists of raking fallen leaves and other debris from all lawn areas, concrete walkway areas, and mulch beds. Fallen leaves will not be allowed to mat on the turf, paver areas or mulch beds. All material collected during the Fall Clean-Up will be disposed of off-site by the Contractor.

**Part Two: Landscape Plant Maintenance Considerations: Trees, Shrubs, Ground Covers, Rock Bed**

**1. Fertilization:** Ornamental shrubs, trees and ground covers shall be fertilized three (3) times per year. Applications shall be made during the months of April, June, and October. Shrubs, trees, and ground cover over three (3) years old in the landscape shall be fertilized two (2) times a year in April and September. Established shrubs and trees in lawn areas exposed to lawn fertilization will not need supplemental fertilizing. Fertilizer applied to shrubs and trees planted in beds shall be spread over the entire plant bed. Fertilizer may be punched into the soil on berms and slopes where runoff is likely.

**2. Pest Control:** Contractor shall control insects, diseases, and weeds on and around perennials, grounds cover, shrubs, vines, and trees. This will include frequent monitoring and spot treatment as necessary. All spraying will be performed when the temperature is below 90 degrees Fahrenheit and when wind drift is negligible. Weeds in beds or mulched areas will be removed mechanically or by hand. Upon client approval, herbicides may be employed for heavy weed infestations.

**3. Pruning:** Shrubs will be pruned with hand shears as needed to provide a formal shape, fullness, and bloom. Tree pruning will be done once (1) per year and is limited to branches below 15 feet in height. All material left over from the pruning task will be removed by the contractor and disposed of off-site. Branches will be pruned just outside of the branch collar.

**4. Trees:** Water all trees throughout the growing season as warranted by rainfall conditions. All trees are to be thoroughly watered late in the season before the ground freezes. Occasional pruning of all trees throughout the season shall be performed to remove dead or diseased branches, or branches damaged by wind or hail Insecticides shall be sprayed as needed in spring and fall.

**5. Weeding:** Cultivate, weed, and edge all beds ***four (4)*** times a year, at monthly intervals, during the months of June, July, August, and September. Weed Control treatments will be spread on all mulched areas before May 10th. This weed control treatment will be Mec Amine D or a similar product that will need to be approved by the Facilities Engineer. The first weeding will take place before June 10th. All bark covered areas are to be weeded and maintained with sufficient cover and leveled to insure a neat appearance. Unless otherwise directed, dead shrubs, etc. shall be removed and disposed of at the Contractor’s expense.

**6. Mulching:** All mulched areas will be replenished once a year during the Spring (all the mulch beds will have a fresh layer of mulch added by the end of May). All mulch will be “Black Mulch”. Mulch should be maintained at a depth of three (3) inches. All curb, roadway, and bed lines will be trenched to help contain the applied mulch. Mulch will not be placed against the trunks of trees, plants, or against any building.

**7. Water:** The awarded contract will include the watering of the lawn, as conditions require. Water all fine lawn areas thoroughly as necessary to insure a green, healthy appearance. The owner’s representative shall provide the water and the Contractor shall provide the hose, sprinkle equipment, and labor. Driving equipment on lawn shall not be permitted when lawn is wet.

**Part Three: Services on a Per Job basis**

**1. Perennial Flowers:** Replacement of dead or injured plants due to pests or contractor negligence will be done without cost to the MJB. Replacement of stolen, vandalized, or damaged flowers will be on a time and material basis with the Department’s prior approval.

If the Department chooses to make substantive changes to the landscaping this will be done on a time and material basis.

Labor will be provided on time and materials basis for only services described in Part Three. Labor will be billed at the hourly rate and materials will be billed at a mark-up percentage rate. A copy of the original wholesale receipt must be submitted along with invoice(s) for material charges. The State does not pay sales tax; the necessary STA119 tax exemption form will be provided should a time and material project be approved.

**Part Four: Liability**

The Contractor will be held responsible for any of the following situations:

- Any damage done to the Department’s property due to the operation of the Contractor’s equipment in performing services.

- Complying with all laws pertaining to protected plant species.

- Damage to plant material due to improper horticultural practices.

- Injury to non-target organisms in application of pesticides.

The Contractor will not be held responsible for any of the following situations:

- Death or decline of plant material due to improper selection, placement, planting or maintenance done before the time of the awarded contract. Such items will be identified and noted by the Contractor and the Department during the first Spring Walk Through Inspection.

- Natural Disasters: Including Flooding, Storm, Wind or Cold damages.

- Damage due to vandalism.

**PART III KEY RFP EVENTS**

1. **Bidders’ Conference**

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

1. **Questions**
   1. **General Instructions:** It is the responsibility of all Bidders and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.
      1. Bidders and other interested parties should use **Appendix E** (Submitted Questions Form) for submission of questions. 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# 202403065 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. **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 15, 2024 and ending on April 14, 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 (40 points)**

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

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

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

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

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

* 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 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 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.

**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

**Attachment A** – Site Plan and Planting Schedules

**APPENDIX A**

**State of Maine**

**Judicial Branch**

**PROPOSAL COVER PAGE**

**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **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**

**Judicial Branch**

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

**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

|  |  |
| --- | --- |
| **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**

**Judicial Branch**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

|  |  |
| --- | --- |
| **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**

**Judicial Branch**

**COST PROPOSAL FORM**

**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

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

|  |  |
| --- | --- |
| **Hourly wage (For Work Outside Traditional Scope)** | **$** |

**The cost proposal will be judged on yearly cost only. Hourly wage will be notated in final contract should work under $5,000.00 outside of the scope be required. APPENDIX E**

**State of Maine**

**Judicial Branch**

**SUBMITTED QUESTIONS FORM**

**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

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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**Attachment A**

**State of Maine**

**Judicial Branch**

**Site Plan and Planting Schedules**

**RFP# 202403065**

**Lawn Care Services – York Judicial Center**

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