**STATE OF MAINE**

**Maine Public Utilities Commission**



**RFP# 202402042**

**Consulting Services to Evaluate Utility Management and Operations**

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| **RFP Coordinator** | *All communication regarding the RFP must be made through the RFP Coordinator identified below*.  **Name:** Celeste Gaylord **Title:** Administrative Assistant  **Contact Information:** [celeste.gaylord@maine.gov](mailto:celeste.gaylord@maine.gov) |
| **Submitted Questions Due** | *All questions must be received by the RFP Coordinator identified above by:*  **Date: March 4, 2024,** no later than 11:59 p.m., local time |
| **Proposal Submission** | *Proposals must be received by the Division of Procurement Services by:*  **Submission Deadline:** **March 22, 2024**, no later than 11:59 p.m., local time.  *Proposals must be submitted electronically to the following address:*  **Electronic (e-mail) Submission Address:** [Proposals@maine.gov](mailto:Proposals@maine.gov) |

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PUBLIC NOTICE

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**State of Maine**

**Maine Public Utilities Commission**

**RFP# 202402042**

**Consulting Services to Evaluate Utility Management and Operations**

The State of Maine Public Utilities Commission (Commission or Department) seeks a consultant to conduct a management audit of Versant Power’s (Versant) overall management of the company, customer service and credit and collections functions, service quality and the operation and reliability of its transmission and distribution system, and compliance with reorganization requirements ordered by the Commission. The consultant will review, analyze, and provide recommendations regarding these matters, and will also provide recommendations with respect to just and reasonable levels of costs related to these matters.

A copy of the RFP, as well as the Question & Answer Summary and all amendments related to the RFP, can be obtained at: <https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps>

Proposals must be submitted to the State of Maine Division of Procurement Services, via e-mail, at: [Proposals@maine.gov](mailto:Proposals@maine.gov). Proposal submissions must be received no later than 11:59 p.m., local time, on March 22, 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** |
| **Department/Commission** | Maine Public Utilities Commission |
| **RFP** | Request for Proposal |
| **State** | State of Maine |
| **Versant or VP** | Versant Power |
| **T&D** | Transmission and Distribution |

**State of Maine – Maine Public Utilities Commission**

**RFP# 202402042**

**Consulting Services to Evaluate Utility Management and Operations**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Commission seeks an experienced consultant with relevant expertise in utility management and operations to conduct a management audit of Versant Power’s (Versant) overall management of the company, customer service and credit and collections functions, service quality and the operation and reliability of its transmission and distribution system, and compliance with reorganization requirements ordered by the Commission as detailed below. The consultant will review, analyze, and provide recommendations regarding these matters, and will also provide recommendations with respect to just and reasonable levels of costs related to these matters as further described in Part II Scope of Services.

[35-A M.R.S. § 113](https://legislature.maine.gov/statutes/35-A/title35-Asec113.pdf), Management Audit, provides the Commission with broad authority to audit any aspect of utility operations. In this case the Commission is concerned with both the overall management of Versant as well as several areas of Versant’s operations.

Versant is Maine’s second largest investor-owned electric transmission and distribution (T&D) utility, serving about 165,000 customers in northern and central Maine. Versant purchased Emera Maine in 2019 (see [Docket 2019-00097](https://mpuc-cms.maine.gov/CQM.Public.WebUI/Common/CaseMaster.aspx?CaseNumber=2019-00097)). The Commission’s approval required Versant to comply with several items as detailed in the Commission’s final order dated April 21, 2020. Versant is planning to request a rate increase which is expected to be filed with the Commission in March 2024 in Docket 2023-00336. The Commission most recently approved a rate increase for Versant in 2023 (see [Docket 2022-00102](https://mpuc-cms.maine.gov/CQM.Public.WebUI/Common/CaseMaster.aspx?CaseNumber=2022-00102)). Versant is required to meet certain service metrics as described in [Docket 2022-00279](https://mpuc-cms.maine.gov/CQM.Public.WebUI/Common/CaseMaster.aspx?CaseNumber=2022-00279), and Versant’s service quality filings are also contained in a project file entitled “Chap 320 Quarterly Reporting – 320Q” which can be found in the Commission’s Case Management System (CMS) by clicking on “View Cases & Filings” and then by clicking “View Project/Reports.” Additional docket information can be viewed in the Commission's case management system at the following link: <http://www.maine.gov/mpuc/online/index.shtml>.

Details related to Versant's most recent transmission filings can be found in FERC Dockets ER20-2054 (BHD) and ER20-1977 (MPD) [at the FERC library site](https://elibrary.ferc.gov/eLibrary/search).

Bidders should assume that a draft report of this management audit is due to the Commission on February 21, 2025, with a final report due March 21, 2025.

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 Commission 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 Commission. 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 Commission will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Commission information of previous contract history with the Bidder (if any). The Commission 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 Commission.
   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 Commission, 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.

## Eligibility to Submit Bids

Any business relationship between a Bidder and any Maine investor-owned utility (Central Maine Power Company and Versant Power) or any of their affiliates (i.e. including but not limited to their subsidiaries) within the last ten years or any payment made by these utilities or any of their affiliates to the Bidder must be disclosed and described in the Bidder’s proposal.

Any such relationships or transactions will be reviewed as part of the evaluation criteria described in Part V of this RFP to determine whether the relationship would constitute a conflict of interest.  If the Commission determines that a conflict(s) may jeopardize the Bidders ability to perform the work, the proposal may be rejected.  In addition, any Bidder that is awarded a contract through this RFP may not accept or perform work for these utilities or any of their affiliates during the pendency of the examination and any follow-on Commission proceeding directly related to the examination.

1. **Contract Term**

The Commission 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 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 Commission may opt to renew the contract for one (1) renewal period 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 21, 2024 | April 21, 2026 |
| Renewal Period #1 | April 22, 2026 | April 21, 2027 |

1. **Number of Awards**

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

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

1. **General Overview**

The Commission seeks proposals for expert consulting services from Bidders with strong and relevant utility expertise to conduct a management audit of five major areas of Versant’s performance:

1. The overall management of the company including the parent company’s involvement and effectiveness with respect to day-to-day operations in Maine;
2. The management of the company’s customer service and credit and collection functions;
3. The operation of the company’s billing and metering systems, with particular focus on the installation and integration of the company’s new AMI meters with the Company’s billing system;
4. The operation and reliability of the company’s transmission and distribution (T&D) system; and
5. Compliance with the Commission’s approval of the merger as detailed in Docket 2019-00097

The Commission expects the consultant to leverage best practices and information from other similarly sized and situated rural utilities in conducting their detailed analysis. The required analysis in these five areas is further described in the tasks below.

Bidders should assume that their comprehensive analysis of these five areas will be detailed in a draft report that is due to the Commission on February 21, 2025, with a final report due March 21, 2025.

1. **Specific Tasks and Manner of Performance of the Work**

In conducting the examination described above, the awarded Bidder will be expected to perform the following tasks:

**Tasks**

1. An extensive and detailed analysis of how Versant’s parent company (ENMAX Corp.) supports Maine operations, the effectiveness of this support, and the strengths and weakness of the management of both the parent company and its Maine operations.
2. An extensive and detailed analysis of whether Versant employed reasonable and prudent management practices in the management and operation of its customer service and credit and collection functions, including bill collection, bill accuracy and customer care services to its 165,000 customers.
3. An extensive and detailed analysis of whether Versant employed reasonable and prudent management practices in the operation and reliability of its transmission and distribution (T&D) system including but not limited to reliability metrics detailed in Docket 2022-00279.
4. An extensive and detailed analysis of whether Versant has prudently adhered to all aspects required by the Commission in its approval of the merger case in Docket 2019-00097.

To the extent Versant’s management and actions in these five areas have not been reasonable and prudent, the consultant should:

* 1. Quantify the cost of any inefficiencies found to ensure that the Company’s rates reflect costs which would be incurred by a capably managed utility;
  2. Provide recommendations regarding what Commission action should be taken to ensure, on a going forward basis, that the Company is providing safe, adequate and reliable service to its customers; and
  3. Provide recommendations as to what corrective actions should be taken by Company management to address problems identified during the course of the audit.

It is expected that the results of the consulting work will be presented in a detailed report to the Commission. A draft report must be submitted no later than February 21, 2025. The draft report will be reviewed by Versant for factual accuracy only. The draft will also be reviewed by Commission staff. The consultant will incorporate the Commission’s comments into a final report no later than March 21, 2025.

**Performance of the Work**

1. Provide the Commission Staff with a workplan detailing each five areas of the analysis. Work with the Commission Staff to develop mutually agreeable formats and schedules for the analysis and tasks detailed above.
2. Review and evaluate all relevant materials referenced in the Dockets above as well as the new rate case materials expected to be filed in March 2024.
3. Prepare written information requests to Versant as needed to gather all materials and information relevant to the five major areas detailed above.
4. Conduct interviews with Versant’s senior management and other employees, contractors, suppliers, customers and other stakeholders related to these five areas detailed above.
5. Communicate with the Staff on a regular basis as to the analysis being conducted and the progress and content of the five analysis areas and provide draft work product/deliverables for Commission Staff to review.
6. Where applicable, conduct analysis in conformance with any statutory requirements.
7. Provide independent analyses and recommendations in all areas described in this RFP to be submitted in a comprehensive report to the Commission which fully sets forth the findings and rationale for all conclusions and recommendations.

Please note, the resulting report may become part of a future adjudicatory proceeding at the Commission. Bidders fixed price bid, should only include the cost to conduct the analysis and produce the draft and final reports. Should an adjudicatory proceeding commence, the Commission will use the consultant’s hourly rates from any resulting contract and the work will be conducted on a time and materials basis.

**PART III KEY RFP EVENTS**

1. **Questions**
   1. **General Instructions:** It is the responsibility of all Bidders and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.
      1. Bidders and other interested parties should use **Appendix E** (Submitted Questions Form) for submission of questions. The form is to be submitted as a WORD document.
      2. The Submitted Questions Form must be submitted, by e-mail, and received by the RFP Coordinator, identified on the cover page of the RFP, as soon as possible but no later than the date and time specified on the RFP cover page.
      3. Submitted Questions must include the RFP Number and Title in the subject line of the e-mail. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.
   2. **Question & Answer Summary:** Responses to all questions will be compiled in writing and posted on the following website no later than seven (7) calendar days prior to the proposal due date: [Division of Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). It is the responsibility of all interested parties to go to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.
2. **Amendments**

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

1. **Submitting the Proposal**
   1. **Proposals Due:** Proposals must be received no later than 11:59 p.m. local time, on the date listed on the cover page of the RFP. 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?subject=RFP%23%20202206088%20Proposal%20Submission%20–%20[Bidder’s%20Name]).
      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# 202402042 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 Commission 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 Commission, 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. This documentation may include:

* 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.

Discuss the deliverables you will provide the Commission, as well as the format and methods being proposed. Explain all of the pertinent aspects of listed formats and methods, and specify why these deliverables are important to this proposal submission.

* 1. **Implementation - Work Plan**

Provide a realistic work plan for the implementation of the audit through the first contract period. Display the work plan in a timeline chart. Concisely describe each task, the month it will be carried out and the person or position responsible for each task. The work plan must detail the work hours for each task of deliverable and the staff who will conduct the work. 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 21, 2024 and ending on April 21, 2026.
     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 Commission, 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 Commission.

**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 Commission 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 Commission 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)**

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

**Section II. Organization Qualifications and Experience (35 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 (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 Proposed Fixed Cost / Proposed Fixed Cost 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 Commission 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 Commission’s Request for Proposal to an extent that may affect the price of goods or services requested. The Commission 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 Commission may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Commission 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 Commission 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 Commission.
   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 Commission 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 Commission’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. Invoices will be received and reviewed by the Commission and forwarded to Versant for payment.

**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**

**Maine Public Utilities Commission**

**PROPOSAL COVER PAGE**

**RFP# 202402042**

**Consulting Services to Evaluate Utility Management and Operations**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **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 Commission 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 Commission 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**

**Maine Public Utilities Commission**

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

**RFP# 202402042**

**Consulting Services to Evaluate Utility Management and Operations**

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

**Maine Public Utilities Commission**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202402042**

**Consulting Services to Evaluate Utility Management and Operations**

|  |  |
| --- | --- |
| **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. Please disclose any business relationship between the Bidder and CMP or VP or any of their affiliates within the last ten years as detailed in Part IV of this RFP. 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 the “Scope of Services” portion of the RFP. For each of the project examples provided, a contact person from the client organization involved should be listed, along with that person’s telephone number and e-mail address. 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** | |
|  | |

**APPENDIX C (continued)**

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

**APPENDIX D**

**State of Maine**

**Maine Public Utilities Commission**

**COST PROPOSAL FORM**

**RFP# 202402042**

**Consulting Services to Evaluate Utility Management and Operations**

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

|  |  |
| --- | --- |
| **Proposed Total Fixed Cost** | **$** |
| See instructions below. | |

**Proposed Fixed Cost:**

1. Bidders must complete the table below to support the figure provided above, listing all category of personnel who will work on this project, the number of hours for each resource, and their hourly rates. Add rows as needed.
2. The Proposed Fixed Cost will be used in the scoring formula outlined in Part V, B, 3 of the RFP.

|  |  |  |  |
| --- | --- | --- | --- |
| **Category of Personnel** *(examples provided – please specify)* | **Hourly Rate** | **Total Hours** | **Total Cost** |
| Managing Consultant | $ |  | **$** |
| Senior Consultant | $ |  | **$** |
| Consultant | $ |  | **$** |
| Administrative Support | $ |  | **$** |
|  |  |  |  |
| **Grand Totals** | **N/A** |  | **$** |

|  |  |
| --- | --- |
| **Other Project Costs** *(please specify – add rows as needed)* |  |
|  | **$** |

|  |  |
| --- | --- |
| **Proposed Fixed Cost** *(sum of costs above)* | **$** |

**APPENDIX E**

**State of Maine**

**Maine Public Utilities Commission**

**SUBMITTED QUESTIONS FORM**

**RFP# 202402042**

**Consulting Services to Evaluate Utility Management and Operations**

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

|  |  |
| --- | --- |
| **RFP Section & Page Number** | **Question** |
|  |  |
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*\* If a question is not related to any section of the RFP, state “N/A” under “RFP Section & Page Number”.*

*\*\* Add additional rows, if necessary.*