RFA# 202304080

Grant Funding for the Establishment of PFAS Laboratories in Maine

APPLICATION DETAILS AND INSTRUCTIONS

1. **Purpose and Background**

The Department of Environmental Protection (Department) is seeking applications to establish testing laboratories in Maine capable of analyzing for PFAS for use by the Department and other public and private customers as defined in this Request for Applications (RFA) document. This document provides instructions for submitting proposals, the procedure and criteria by which the awarded Bidder(s) will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Bidder(s).

In accordance with [An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023](http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1482&item=3&snum=130), the Department is making available one-time funding to eligible laboratories to assist with equipment purchases and associated expenditures that will increase capacity for sample analysis of PFAS. In a previous RFA issued in 2022, the Department awarded $2,674,667 to two (2) laboratories. This RFA is being issued for the remainder of the allocated funding.

## **Eligibility to Submit Applications**

Maine State agencies receiving funding for PFAS laboratory testing services through separate financial mechanisms are not eligible to submit bids through this RFA. Bidders must currently operate as an analytical laboratory and meet the following criteria in order to submit bids:

1. The analytical laboratory must have a physical presence in Maine, and provide PFAS testing services
2. The analytical laboratory must already participate in the Maine Laboratory Accreditation Program.
3. The analytical laboratory must be accredited to analyze for organic compounds.
4. The analytical laboratory must be equipped to provide, at a minimum, a Level II report, and data in the Department’s [most current electronical data deliverable format](https://www.maine.gov/dep/maps-data/egad/index.html#ed) (currently EGAD v6.0).

## **Awards**

The Department anticipates making up to two (2) awards for a total of $525,333 as a result of this RFA process. The exact number of, and amount of funding for, awards will be made at the Department’s discretion, based on the number of applications received, total grant funds requested, and best value to the State.

Any person aggrieved by the award decision that results from the RFA 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.

RFA# 202304080

Grant Funding for the Establishment of PFAS Laboratories in Maine

# ACTIVITIES AND REQUIREMENTS

The Department is seeking to award funds to multiple laboratories to establish analytical services in Maine that are capable of, at a minimum:

1. Testing and processing priority PFAS samples for the Department, other state agencies, and homeowners located in Maine;
2. Providing preferential pricing for testing Department and other state agency samples based on a standard 10-day turnaround time;
3. Providing preferential pricing for testing in-state residential drinking water supply samples taken by homeowners based on a standard 10-day turnaround time.

Providing additional PFAS testing capacity for other sample types such as soil, vegetative tissue, muscle tissue, blood, serum, milk, manure, and compost is also desired.

As part of the resulting contract(s) of this RFA, the Department will negotiate specific terms and conditions which will include, at a minimum:

1. Completion of progress reports to the Department.
2. Guarantee of performance or other performance goals that may require a certain number of analyses to be conducted on Department samples, other State agency samples, and in-state homeowner samples, as applicable.
3. Equipment purchased using money awarded by this grant must be used by the awarded laboratory for the testing of in-state PFAS samples for a minimum of five years unless an alternate timeframe is agreed to. If the laboratory ceases testing of these samples, the equipment or any unspent funds must be given/returned to the Department.
4. If the laboratory does not meet performance goals, the Department may require that awarded funds be returned to the Department.
5. The laboratory may not subcontract in-state PFAS samples to another laboratory.
6. The laboratory must obtain Maine Laboratory Accreditation for the analysis of PFAS in Drinking water by US EPA Test Methods [533](https://www.epa.gov/sites/default/files/2019-12/documents/method-533-815b19020.pdf) or [537.1](https://cfpub.epa.gov/si/si_public_file_download.cfm?p_download_id=537290&Lab=NERL). If the laboratory intends to analyze for PFAS in other matrices, Maine accreditation for those matrices must be obtained when available.
7. Any equipment and appurtenant systems purchased under this RFA must be primarily dedicated to the analysis of PFAS. Any samples run on equipment purchased under this RFA must generally meet a reporting limit of 2 parts per trillion in aqueous samples for the 6 compounds that are included in Maine’s Interim Drinking Water Standard (PFOA, PFOS, PFNA, PFHxS, PFHpA, and PFDA) unless samples must be diluted, there are matrix interferences, or other unforeseen circumstances occur that make meeting this reporting limit unachievable. In addition, as per the [EPA’s proposed MCL](https://www.epa.gov/system/files/documents/2023-04/Public%20FAQs_PFAS_NPDWR_Final_4.4.23.pdf), labs must be able to meet reporting limits for PFBS, HFPO-DA, PFNA, and PFHxS such that the Hazard Index (HI) outlined in the proposal can be calculated.
8. Equipment already purchased or services already rendered are not eligible for this grant award.
9. Laboratories previously awarded funds under RFA# 202206103 are not eligible for this grant award.
10. Because the award amount from this RFA will not be adequate to purchase all equipment and supplies required to set up a complete PFAS system, the laboratory must demonstrate the ability to secure funding required for the necessary equipment and supplies not funded under this RFA.
11. Any proposed funding for positions as part of the grant proposal must be essential and limited to positions associated with the development of the proposed project. Any ongoing funding for positions after project inception will be the responsibility of the grantee.

**Other Requirements:**  
Testing services that are made possible by the laboratories established through this RFA will be utilized by the Department through a pre-qualified list of Certified Testing Laboratories held by the Department. Awarded applicants must submit the appropriate documentation to the Department in order to be placed on the pre-qualified laboratory list and ultimately be considered for testing services.

RFA# 202304080

Grant Funding for the Establishment of PFAS Laboratories in Maine

# KEY PROCESS EVENTS

## **Submitting Questions about the Request for Applications**

Any questions must be submitted by e-mail to the Grant Coordinator identified on the [Grant RFPs and RFAs webpage](https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants) by May 5, 2023 at 11:59 p.m. local time. Submitted Questions must include the subject line: “RFA# 202304080 Questions”. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.

Question & Answer Summary: Responses to all questions will be compiled in writing and posted on the following website: [Grant RFPs and RFAs](https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants). 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.

## **Amendments to the Request for Applications**

All amendments (if any) released in regard to this Request for Applications will be posted on the following website: [Grant RFPs and RFAs](https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants). 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.

## **Application Submission**

1. **Applications Due:** Applications must be received by May 26, 2023 at 11:59 p.m. local time. Applications received after the 11:59 p.m. deadline will be ineligible for award consideration for that annual application enrollment period.
2. **Submission Instructions:** Applications are to be submitted to the State of Maine Division of Procurement Services, via email, to [Proposals@maine.gov](mailto:Proposals@maine.gov).
   1. Only applications received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
   2. E-mails containing links to file sharing sites or online file repositories will not be accepted as submissions. Only e-mail applications 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. Applicants 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. Applicants are to insert the following into the subject line of their email submission: **“RFA# 202304080 Application Submission – [Applicant’s Name]”**
   6. Applications are to be submitted as a single, typed, PDF or WORD file and must include pages 8-14 of this RFA document, along with all required attachments.

RFA# 202304080

Grant Funding for the Establishment of PFAS Laboratories in Maine

APPLICATION EVALUATION AND SELECTION

## **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 application meets the following criteria.

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| **Scoring Criteria** | **Maximum Points Available** |
| Eligibility | Pass/Fail |
| Qualifications and Experience | 60 points |
| Activities and Requirements | 25 points |
| Funding Request | 15 points |
| **Total Points** | **100 points** |

1. Scoring Process: The Grant Review Team will use a consensus approach to evaluate and score all sections listed above. Members of the review team will not score those sections individually but, instead, will arrive at a consensus as to assignment of points for each of those sections.

Regarding the proposed funds requested and the proposed work, the Grant Review Team will consider the degree to which the project represents a good return for the investment (pricing, time) as well as whether the project work and cost estimates (tasks, budget) are reasonable for the expected outcomes, along with the amount and quality of proposed matching funds or services.

RFA# 202304080

Grant Funding for the Establishment of PFAS Laboratories in Maine

APPLICATION COVER PAGE

**Handwritten Applications Will Not Be Accepted**

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| --- | --- | --- | --- | --- | --- | --- |
| **Applicant’s Organization Name:** | | Click or tap here to enter text. | | | | |
| **Tel:** | Click or tap here to enter text. | | | | **E-mail:** | Click or tap here to enter text. |
| **Headquarters’ Street Address:** | | Click or tap here to enter text. | | | | |
| **Headquarters’ City/State/Zip** | | Click or tap here to enter text. | | | | |
| ***Provide information requested below if different from above*** | | | | | | |
| **Point of Contact for Application- Name and Title** | | | Click or tap here to enter text. | | | |
| **Tel:** | Click or tap here to enter text. | | | | **E-mail:** | Click or tap here to enter text. |
| **Headquarters’ Street Address:** | | Click or tap here to enter text. | | | | |
| **Headquarters’ City/State/Zip** | | Click or tap here to enter text. | | | | |
| **Dollar Amount of Application:** | | | | Click or tap here to enter text. | | |

* 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 Applicant’s application.
* No attempt has been made, or will be made, by the Applicant to induce any other person or firm to submit or not to submit an application.
* The above-named organization is the legal entity entering into the resulting agreement with the Department should they be awarded a 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 application, both programmatic and financial, is complete and accurate at the time of submission.

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| **Name (Print):** Click or tap here to enter text. | **Title:** Click or tap here to enter text. |
| **Authorized Signature:** | **Date:** Click or tap here to enter text. |

RFA # 20230480

Grant Funding for the Establishment of PFAS Laboratories in Maine

DEBARMENT, PERFORMANCE and NON-COLLUSION CERTIFICATION

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| **Applicant’s Organization Name:** | Click or tap here to enter text. |

*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.*

**Failure to provide this certification may result in the disqualification of the Applicant’s application, at the discretion of the Department.**

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| --- | --- |
| **Name (Print):** Click or tap here to enter text. | **Title:** Click or tap here to enter text. |
| **Authorized Signature:** | **Date:** Click or tap here to enter text. |

RFA# 202304080

Grant Funding for the Establishment of PFAS Laboratories in Maine

APPLICATION

The Applicant is asked to be brief and concise in providing written information required in the application.

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| **ELIGIBILITY** |
| Applicants must provide documentation to demonstrate meeting eligibility requirements stated on page 1 of the RFA. This documentation includes: |
| 1. Information showing that the applying analytical laboratory currently provides analysis for PFAS and has a physical presence in Maine. This must include one of the following:    1. If the Applicant owns the property, a copy of the deed(s) to the property proposed for use.    2. If the Applicant has a lease on the property, a copy of the lease agreement showing its duration and terms.    3. If the Applicant has an option to buy or lease the property, a copy of the option agreement. If selected, the Applicant must provide the Department with a copy of the deed or lease prior to the award. |
| 1. A current certificate from the Maine Laboratory Accreditation Program which includes the corresponding analytes the laboratory is certified for. The analyte list must include organic compound methods. |
| 1. An actual Level II report generated from the testing of organic compounds at the bidder’s current analytical laboratory with the corresponding data in the Department’s most current electronical data deliverable format. Sample address and other personal identifying information may be redacted, as appropriate. |

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| **QUALIFICATIONS and EXPERIENCE** | |
| Present a brief statement of qualifications. Describe the history of the Applicant’s organization, especially regarding skills pertinent to the specific work required by the RFA 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. | |
|  | |
| Provide a description of projects that occurred within the past five years which reflect experience and expertise needed in performing the functions described on page 3 of the RFA. 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. | |
| **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** | |
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| **ACTIVITIES and REQUIREMENTS** |
| To address the Activities and Requirements referenced on page 3 of the RFA and what the Applicant will offer, provide the information requested below. |
| * 1. A brief description of the proposed project, including:      1. A description of current laboratory operations and analytical tests performed. |
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| * + 1. A description of proposed analytical tests to be performed, and a list of matrices proposed to be analyzed and corresponding test methods. Accreditation for the testing of PFAS in drinking water in strict accordance with US EPA Test Methods [533](https://www.epa.gov/sites/default/files/2019-12/documents/method-533-815b19020.pdf) or [537.1](https://cfpub.epa.gov/si/si_public_file_download.cfm?p_download_id=537290&Lab=NERL) must be obtained first. Additional analytical testing could include other matrices such as soil, vegetative tissue, muscle tissue, blood, serum, milk, manure, and compost. |
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| * + 1. Qualifications for senior staff that perform organic analyses. |
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| * + 1. A description of how the analytical laboratory will give priority PFAS analysis and data reporting to the Department and other state agencies for samples originating in Maine. |
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| * + 1. A physical address for the laboratory if different from the mailing address. |
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| * + 1. A figure that shows the layout of the analytical laboratory including locations for current analyses labelled by type and locations proposed for PFAS laboratory operations including extraction and analysis. |
|  |
| * + 1. A description of measures that will be taken to ensure data quality including a discussion as to how cross-contamination will be avoided. |
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| * + 1. The bidder’s proposed capacity for analyzing PFAS samples on both a daily and annual basis once full-scale operations are achieved. |
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| * 1. A schedule in the form of a Gantt chart or similar timeline chart that illustrates anticipated timelines to reach full-scale PFAS laboratory testing services.      1. Benchmarks should include, but not be limited to, equipment delivery; Quality Assurance Manual development; Standard Operating Procedure development; staff training; proficiency testing; completion of corrective actions, if needed; and achieving method accreditation.      2. A timeframe should be provided to reach compliance drinking water accreditation.      3. Timeframes should be provided for reaching proficiency in testing other media, as applicable, once compliance drinking water accreditation has been achieved. |
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| * 1. Information to demonstrate that the Department and other state agencies, and homeowners submitting in-state drinking water supply samples, will receive preferential pricing based on a standard 10-day turnaround time. |
|  |
| 1. Proposals that include analytical testing capacity of tissue (vegetative and/or muscle) must indicate whether the Applicant has or proposes to purchase equipment and appurtenant systems necessary for preparing samples (e.g., cryogenic grinder to homogenize tissues). |
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| **FUNDING REQUEST** |
| 1. Bidders must attach a detailed breakdown of costs that support the services offered in their application. The breakdown must include specific items such as equipment, consumables, personnel, training, and building costs, as applicable, and the associated unit costs for each item. Manufacturer price quotes for actual equipment proposed must be included. The cost proposal must indicate any funding or equipment that will be provided by the laboratory to allow for a complete PFAS analysis system. |
| 1. A fee schedule must be submitted that outlines pricing based on turnaround times by media that includes the following:    * 1. Pricing for 10-business day turnaround time.      2. Pricing for expedited turnaround times.      3. Courier service at designated locations at agreed upon set times in Augusta, Bangor, Portland, and Presque Isle for both delivery of sample bottles/supplies and sample pick up at no cost to the Department or other State agencies. |
| 1. In addition to the breakdowns requested above, Applicants must provide a detailed narrative describing how the proposed funds will be used to provide additional capacity to the Department, other State agencies, and homeowners in Maine at a preferential price. |
|  |