



Administered by University of Maine System  
Office of Strategic Procurement  
Request for Proposal (RFP)  
RFP #2021-017

University of Maine (UMaine)  
Public Private Partnership (P3) for  
Historical Building Redevelopment

**Issued Date:** December 15, 2020

**Response Deadline Date/Time:** January 25, 2020, 5:00 p.m. EST

**Response Submission Information:**

Submitted electronically to [UMSResponses@maine.edu](mailto:UMSResponses@maine.edu)

Email Subject Line: UMaine P3 for Historical Buildings Redevelopment -  
RFP#2021-017

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## 1.0 INTRODUCTION

### 1.1 Definitions, Background, Purpose and Specifications

#### 1.1.1 Definitions

The University of Maine System will hereinafter be referred to as the "University." Respondents to the document shall be referred to as "Respondent" or "Respondents".

The University of Maine System and other components of the University shall be referred to as "Multi-Institution".

#### 1.1.2 Background

##### Overview

Established in 1968, the University of Maine System (UMS) unites six distinctive public universities, comprising 10 campuses and numerous centers, in the common purpose of providing quality higher education while delivering on its traditional tripartite mission of teaching, research, and public service.

A comprehensive public institution of higher education, UMS serves more than 30,000 students annually and is supported by the efforts of more than 2,000 full-time and part-time faculty, more than 3,000 regular full-time and part-time staff, and a complement of part-time temporary (adjunct) faculty.

Reaching more than 500,000 people annually through educational and cultural offerings, the University of Maine System also benefits from more than two-thirds of its alumni population residing within the state; more than 123,000 individuals.

The System consists of six universities: The University of Maine (UMaine), including its regional campus the University of Maine at Machias (UMM); the University of Maine at Augusta (UMA); the University of Maine at Farmington (UMF); the University of Maine at Fort Kent (UMFK), the University of Maine at Presque Isle (UMPI); and the University of Southern Maine (USM). The System also includes the University of Maine School of Law and the University of Maine Graduate and Professional Center.

##### University of Maine

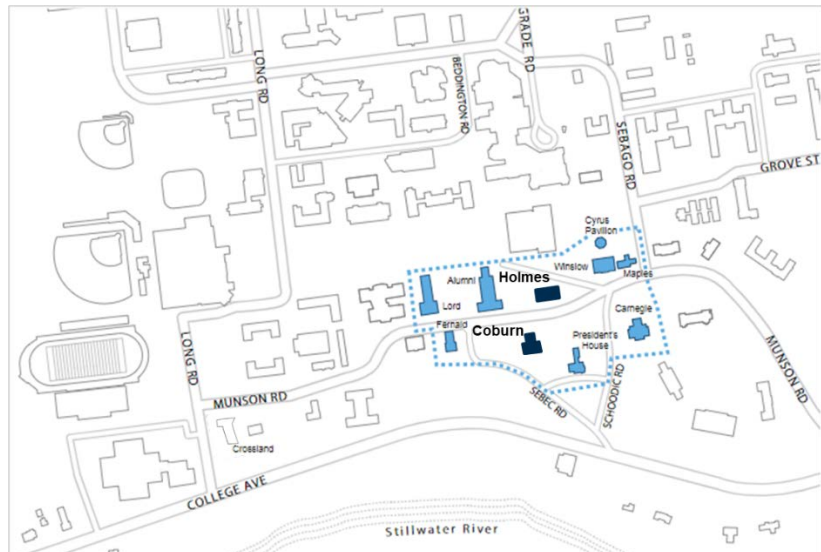
The University of Maine, founded in Orono in 1865, is the state's land grant and sea grant university. As the state's only public research university, UMaine has a statewide mission of teaching, research & economic development, and community service. UMaine is among the most comprehensive higher education institutions in the Northeast with nearly 100 majors and academic programs. It attracts students from Maine and 49 other states, and more than 60 countries. UMaine offers more than 100 degree programs through which students can earn graduate certificates, master's, doctoral or professional science master's degrees. The university promotes environmental stewardship, with substantial efforts campus wide aimed at conserving energy, recycling and adhering to green building standards in new construction.

In fall 2020, UMaine enrolled more than 11,700 undergraduate and graduate students who can directly participate in research, working with world-class scholars. UMaine had 535 full-time and 331 part-time faculty in fall 2019. Additional information about UMaine's profile can be found here: <https://umaine.edu/oira/reporting/umaine-snapshots/>

## 1.1.3 Purpose

### 1.1.3.1 The Project

The University of Maine (“UMaine” or “the Institution”) is issuing this Request for Proposals (“RFP”) to partner with a team of public and/or private entities to **design, renovate, finance, operate, and maintain** the adaptive reuse of Coburn and Holmes Halls, two designated historic buildings (“the Project”) located on UMaine’s campus through a ground lease structure. The renovation of Coburn and Holmes Halls could be the first of future development opportunities within UMaine’s Historic District.



**Figure 1: Location of Coburn and Holmes Halls in the University of Maine's Historic District**

Through this solicitation process, UMaine is looking for a long-term partner(s) that shares the institution’s strategic and economic outcomes, which were initially described within the Request for Qualification (“RFQ”), dated October 6, 2020, and which are expanded upon within this RFP document.

For the purposes of this RFP, information contained within the RFQ will still apply unless otherwise noted. Specifically, Respondents should be familiar with the language provided in Section 1.1.3 of the RFQ, which included information regarding:

- Project Overview
- Required Project Outcomes
- Adaptive Reuse Concepts

This document provides instructions for submitting responses, the procedure and criteria by which the Respondent will be selected, and the contractual terms which will govern the relationship between the University and the awarded Respondent.

#### 1.1.3.2 **Process Overview**

The University is issuing this RFP to Respondents that have been deemed qualified as a result of the RFQ selection process related to the University's interest in partnering with a team of public and/or private entities for the Project.

The purpose of this RFP is to provide the University with detailed proposals in order to facilitate a fair evaluation and review process. Each Respondent is responsible for ensuring that their proposal includes all information requested in this RFP. Proposals that do not meet the minimum requirements will be disqualified from the review process. In addition, information submitted and contained within the RFQ will be considered in connection with review of responses to this RFP unless changes are noted by the Respondent within the proposal.

UMaine seeks to identify a long-term partner(s) that shares the Institution's values and is qualified in delivering, financing, operating, and maintaining the Project. Proposals will be evaluated based on the quality of responses and ability of the Respondent to demonstrate strong project concepts that are financially viable. Following the submission of their proposal, Respondents will participate in an interview with the University. The selected Respondent will participate in negotiations with the University on the agreements necessary to engage in the development of the Project.

#### 1.1.3.3 **Project Concepts**

UMaine explored several market segments and evaluated each based on their strategic mission alignment and economic viability. UMaine determined that office, hospitality, and multi-family residential concepts, delivered through a public-private partnership, have the highest strategic alignment with the Institution's desired outcomes. However, UMaine is also open to exploring alternative concepts, an example would be a childcare facility or other innovative concept, that will achieve its desired outcomes as outlined in section 1.1.3.5 of the RFQ. Additional information about project concepts were outlined in section 1.1.3.6 of the RFQ. Further information about market opportunity can be found in Appendix E of the RFP.

### 1.1.4 **Specifications / Scope of Work**

UMaine seeks a partner(s) to redevelop Coburn and Holmes Halls through a public-private partnership ("P3"). Through this partnership, UMaine intends to transfer the risk of designing, renovating, financing, operating, and maintaining the buildings to a private entity. This P3 structure would allow a private partner to take advantage of Federal and State Historic Tax Credits ("HTC") to significantly reduce the redevelopment cost of the Project.

The Institution requires their thorough understanding of the selected Respondent's redevelopment plans for both Coburn and Holmes Halls, including design, renovation, financing, operation, and management plans, before entering into an

agreement with the Respondent. The Respondent will be responsible for, but not limited to, the following items of this Section 1.1.4.

**1.1.4.1 Site and Exterior Requirements**

Site Design and Overall Aesthetic

The selected Respondent will be responsible for ensuring that the Project’s design is aligned with the historical aesthetic of the original buildings, as well as the greater UMaine campus historic district. UMaine’s National Register Historic District Design Guidelines can be found in Appendix F. Assuming the Project will take advantage of Historical Tax Credits, the Project must comply with associated standards for rehabilitation.

Development Boundary

The selected Respondent will be responsible for all site preparation required for the redevelopment of Coburn and Holmes Halls. Any proposed additions to Coburn and/or Holmes must remain within the Project boundary as shown in Appendix G.

Landscaping & Hardscaping

The selected Respondent will be responsible for landscape, exterior walls, and hardscape improvements and ongoing maintenance within the Development Boundary as part of this Project.

Utilities

There is an existing utility infrastructure for Coburn and Holmes Halls. Existing utility routes and connections can be found on the site plan in Appendix H. UMaine will deliver the capacity for all utilities required to adequately service the Project, including electrical, stormwater, sewer, natural gas, and telecommunications / data. UMaine will have appropriate metering to calculate all costs to deliver utilities to the Project. The selected Respondent will be responsible for compensating UMaine for utilities at the rates below:

- Electricity: \$0.11/kWh
- Steam: \$25/k-lb
- Water: \$0.011/CF
- Water for Fire Suppression: \$1,000/year/account
- Sanitary Sewer: \$0.046/CF
- Propane: \$1.40/gallon
- #2 Fuel Oil: \$2.40/gallon
- Natural Gas: \$1.30/Therm
- Storm Drain: No charge

Parking

It is the Respondent’s responsibility to determine the parking requirements for the Project. The University may have surplus parking capacity adjacent to Coburn and Holmes Halls and will discuss with the selected Respondent(s) team if adjacent surplus capacity is sufficient to meet the identified need.

1.1.4.2 **Construction and Architectural Guidelines**

The University, at its discretion, may discuss with Respondents proposed deviations from its design criteria, found in Appendix I, that may add value to the recommended design solutions. The ultimate goal of the Project, in order of desired importance, is a building that is financially feasible and in alignment with: the University’s strategic objectives; sustainability guidelines; and campus design standards. As such, proposals containing deviations from the aforementioned design guidelines and standards are encouraged, provided they better align with the goals as detailed above.

Respondents’ construction and design submission should endeavor to align with the sustainability objectives listed in Section 1.1.4.4 below. Any and all deviations from the University’s design criteria materials should be noted, along with how the deviations impact the assumed development budget, design, or program in the response.

Ultimate review and approval by the University of the Project design, and any proposed deviations, will be required through all phases of the design process.

1.1.4.3 **Code and Planning Requirements**

Coburn and Holmes Halls will require investment in code safety and accessibility upgrades. Both facilities have solid masonry structures and are suitable for renovation. Additional information, including building floor plans, space inventory and historic surveys, can be found in Appendix J. In addition, UMaine is conducting a Level One Environmental Impact Study for Coburn and Holmes Halls. The Environmental Impact Study report will be posted as an addendum prior to the submission deadline for this RFP.

The architect / engineer submitted as a part of the Respondent team shall ensure that all relevant documents comply with all applicable codes, regulations, and orders in effect at the time of permitting. The architect / engineer shall submit a list of codes to which the Project is subject.

The Town of Orono’s zoning map can be found in Appendix K. The Project site is in the University District. The University District (UNIV) is intended to apply to university land, allow university-related development, and provide for Town review of University Development which impacts Orono’s services, infrastructure, or residential areas. The Code of Ordinances table for the Town of Orono can be found in Appendix L.

The Town of Orono is responsible for licensing building and trade contractors, inspecting properties, and processing various permit applications. The Respondent team must work directly with the Town of Orono to secure permitting and proper zoning for the Project. The University will leverage existing relationships to provide support to the Respondent during the permitting and zoning process. Further details



regarding the permitting process are provided in the following link: <https://orono.org/162/Current-New-Permits>

In addition, the Respondent is responsible for submitting applications and acquiring required permits for achieving historic tax incentives through the State of Maine Historic Preservation Commission. Additional information regarding the application process is provided in the following link: <https://www.maine.gov/mhpc/programs/tax-incentives>

#### 1.1.4.4 **Sustainability Objectives**

Development concepts for the Project should encourage environmental responsibility and promote sustainable development. Respondents are required to meet LEED Silver standards in the renovation of Coburn and Holmes' existing structures as well as for any new construction. Formal LEED Silver accreditation is not required. Additional information regarding UMaine's Historic Building Sustainability Guidelines can be found in Appendix F.

#### 1.1.4.5 **Financing Objectives**

UMaine will enter into a ground lease agreement with the selected Respondent team where the Respondent will be responsible for providing funding for the Project. The Institution's assumption is not to absorb any occupancy risk, credit, or balance sheet impacts through the development of the Project. Specifically, any residential solution should assume demand risk will be taken entirely by the development partner of the Respondent.

The proposed project concepts should be financially viable while concurrently achieving the most advantageous design, renovation, financing, operations, and maintenance outcomes for the University. Respondents should explore a range of financing, delivery, and ownership structures and propose the best approach that is aligned with UMaine's objectives. The Institution will collaborate with the selected Respondent to evaluate the proposed strategies and select their preferred financing, delivery, and ownership structure.

The University bears no responsibility for paying property taxes. It is anticipated that property taxes will be determined by a tax appraiser and discussed with the selected Respondent during negotiation. The Respondent should assume all property taxes will be assessed on the Project, including property transfer taxes, as applicable.

#### 1.1.4.6 **Delivery Timeline**

The University anticipates an early 2023 Project delivery. The Respondent should include their proposed delivery dates when developing the schedule, phasing, and financing plans for the Project.

#### 1.1.4.7 **Asset Management, Maintenance, and Operations**

The Project's management, maintenance, and operations will be the responsibility of the Respondent. The Respondent may assume

responsibility directly or through a third-party sub-contractor. In addition, the Respondent will be responsible for the operating costs for all property management services for the Project including, but not limited to, the facilities' personnel costs, general administration, utilities, supplies, property insurance, service contracts (landscaping, snow removal, custodial, trash removal), maintenance, and repairs.

The Respondent will assume the responsibility for the leasing and marketing of the components contained within the Project. For the purpose of the proposal, the Respondent should assume its responsibility for any direct costs associated with delivering marketing services.

## 1.2 Submittal Requirements

The following constitutes the University's submittal requirements for the RFP responses. The RFP response must follow the order provided below to facilitate the University's evaluation process. Submitted responses should include tabs correlating to each of the following criteria below. It is critical that RFP responses are provided in a consistent format to ensure accuracy and clarity during the University' review process.

A description of each tab is provided in the next sub-sections.

### 1.2.1 Executive Summary

- Provide an overview of the proposed asset type(s).
- Demonstrate how the proposed asset type(s) for both Coburn and Holmes Halls are in alignment with UMaine's desired strategic objectives and outcomes.

### 1.2.2 Team Roles and Responsibilities

- Organizational chart with names and titles for key personnel of the Respondent team.
- Identify the development project team and provide resumes of key personnel for the Project, their role, and availability. Identify specifically the key point of contact for each entity throughout the Project:
  - Primary Respondent (Developer);
  - Design Team (Architects & Engineers)
  - Construction Team (Construction Manager, General Contractor, other consultants)
  - Asset Management, Leasing, Operations, Maintenance Team
  - Historic Tax Credits Team (Team members who lead the HTC acquisition process), if applicable
  - Brokerage Team, if applicable

Any additions to or changes to the Respondent team members in connection with a proposal are subject to review and approval by the University. If no additional entities are named, it is assumed that the primary Respondent will self-perform and manage all functions of the Project. Any later decision to include and/or remove other entities from the proposed team will also require review and approval by UMaine prior to their use by the Respondent.

### 1.2.3 Project Concept

Provide a detailed project description and architectural narrative for both Coburn and Holmes Halls. The Project concept should include conceptual site plans or other imagery to convey the relationship and connection between Coburn Hall, Holmes Hall, and surrounding campus buildings. If proposing any additions to the facilities, the site plan should address the expansion within the site boundaries outlined in Appendix G. Highlight any key challenges that may occur and your firm's strategies for meeting those challenges.

The Project description should summarize floor plans and scale for each hall. Potential detailed descriptions for various proposed asset types can include, but are not limited to, the following:

- Floor plans (all floors),
- If proposing an addition (new construction), two elevations and two perspectives for each hall,
- Program,
- Required parking accommodations,
- Anticipated tenant/target market

In addition, provide a brief narrative on the proposed sustainability approach for the Project and how the Respondent team propose to meet LEED Silver standards or equivalency.

### 1.2.4 Development Approach

The Respondent should provide a detailed work plan for this engagement and discuss how the team will advance the Project's requirements during the pre-design, design, approvals, financing, construction, project close out, and management. Specifically, please provide and address the following:

- Provide a detailed project schedule for both renovation projects at Coburn and Holmes Halls that shows the timing and phasing of all tasks detailed in the Specifications / Scope of Work section. The schedule should incorporate the design, construction, and financial close timelines for the Project.
- Steps the Respondent would take to ensure timely completion of the Project with detailed explanation of schedule management during the period following team selection and negotiation with the University.
- Identify any anticipated risks and challenges that would inhibit the Project meeting the targeted schedule.

The Respondents are requested to provide development budgets that will include redevelopment costs, financing costs, historic tax credits (if applicable), and any associated fees, as outlined in Appendix M and detailed in section 1.2.9 below.

### 1.2.5 Ownership Structure

The University is interested in receiving all ownership or P3 partnership structure proposals that Respondents believe may be the best solution for this Project. The Respondent shall submit a detailed diagram structure of partnership with the University and associated descriptions of the deal structure(s) proposed for this Project. The description should include the mechanism for ground lease payments to the University.

The Respondent team should outline all financial considerations (i.e., transaction costs, debt and equity costs, fees, etc.) and non-financial considerations (i.e., potential balance sheet, credit and budget implications) for the University's evaluation. The Respondents must ensure their proposed ownership model achieves UMaine's desired outcomes. When evaluating and comparing all proposed options, the University will assess a full range of ownership models and focus on a customized financial structure that best benefits the Project and the University.

### **1.2.6 Asset Management, Operations, and Maintenance Approach**

The Respondent team shall submit a detailed description of its approach to the management, operations, and maintenance of the Project. The maintenance and operation of the Project should be aligned with industry standards related to equipment and the asset. Respondents should provide an overview of anticipated staffing (full-time, part-time, and student, if applicable), operational expense assumptions, and any sample maintenance and operational standards from similar projects.

### **1.2.7 Financing Approach**

Respondents should provide a clear statement describing the financing approach for the Project, including identification of any perceived challenges to financing the Project, in alignment with the Institution's strategic and economic goals. Respondents should demonstrate the commitment from sources of financing and indicate their ability to achieve the proposed timeline and approach to financial close. The proposal should include the length/term (in years) of the overall ground lease to the University and the name of the entity that will be responsible for financing the Project. In addition, Respondents should highlight the approach to and use of Federal and State Historic Tax Credits and their impacts on the redevelopment costs of the Project.

### **1.2.8 Pro Forma Assumptions**

Respondents are required to fill out the assumptions page provided in Appendix M that correspond with the submitted pro forma(s) for the Project. If there are assumptions provided by the University that do not align with the Respondent's approach, please revise the spreadsheet, as necessary (Please note the revisions in the spreadsheet). Please provide any supporting narrative that will be helpful for the purposes of UMaine's review.

### **1.2.9 Project Pro Forma**

A detailed project pro forma should be provided for each of the proposed financing structures and attached in Excel format to the RFP response. The pro forma must include the following information:

- Project Pro Forma for Full Term of Ground Lease
- Ground Lease term
- Anticipated rents or daily rates
- Detailed revenue and expenses for Year 1, including a breakdown of operating expenses per SF, management fees (as well as indication of how this is calculated), repair & replacement reserves, property taxes (if applicable), other expenses and net operating income

- It is critical that operating expenses are commensurate with the service and quality as described within this RFP. Please review and advise if your typical operating expenses deviate from the level described in this RFP.
- Disclosure of growth/inflation assumptions
- Estimated financing amount, including rate and term
- Sources of funding for the Project (i.e., private equity, bonds, commercial loan, bond financing, etc.)
- If any form of equity is utilized, please provide calculations regarding required return
- Project Compensation to Developer
  - Percentage of excess cash flow
  - Cumulative cash flow through the life of the Ground Lease
  - Present value of cash flow
- Project Compensation to University
  - Ground Lease base rent
  - Percentage of excess cash flow and notification of discount rate assumption
  - Cumulative cash flow through the life of the Ground Lease
  - Present value of cash flow and notation of discount rate assumption

## 1.3 General Information

### 1.3.1 Key Terms and Future Agreements

The University developed the following preliminary list of key terms for review and consideration during and after the solicitation process.

- **Assignment and Transfer.** There will be no right to assign or transfer the Ground Lease without the written consent of the University.
- **Buy-out by University.** The Ground Lease will contain provisions providing the University with a right, at its sole option, to buy out the remainder of the Ground Lease term. This buy-out provision will be negotiated with the Respondent.
- **Delivery of Premises at the End of Term.** At the conclusion of the term of the Ground Lease, any improvements located on the site will remain and shall be delivered to the University fully operational and in good condition as determined jointly by the University and the Ground Lessee. The useful life of the asset is expected to be, at a minimum, 10 years beyond the ground lease period. Upon termination or expiration of the lease, the Institution will have the right to require that the Project be demolished at the sole expense of the Ground Lessee.
- **Insurance.** At this time, the Respondent / Ground Lessee should assume it will be responsible for providing insurance for both pre- and post-occupancy. The minimum insurance requirements will be provided to Respondents at a later date.

- **Repair, Replacement, and Renovation.** The Respondent will be responsible at its expense for all maintenance, routine replacement of fixtures and equipment, and all life-cycle maintenance and repairs required for the Project.

### 1.3.2 Communication with the University

It is the responsibility of the Respondent to inquire about any requirement of this document that is not understood. Responses to inquiries, if they change or clarify the document in a substantial manner, will be forwarded by addenda to all parties that have received a copy of the document. Addenda will also be posted on our web site, [www.maine.edu/strategic/upcoming\\_bids.php](http://www.maine.edu/strategic/upcoming_bids.php)

It is the responsibility of all Respondents to check the web site before submitting a response to ensure that they have all pertinent documents. The University will not be bound by oral responses to inquiries or written responses other than addenda.

Inquiries must be made using the **Response Contact Information** provided on the cover sheet of this document. Refer to table in **Section 1.4.1 Timeline of Key Events** for deadline requirements.

### 1.3.3 Site Visit

Respondents can schedule a walk-through of both Coburn and Holmes Halls by reaching out to Stewart Harvey (via email [stewarth@maine.edu](mailto:stewarth@maine.edu) or phone 207-581-2668). Walk throughs can be scheduled for the week of January 4-8, 2021. The request for a walk-through must be made on or before December 23, 2020. The walk through will be one hour in length. All University and State guidelines regarding mask wearing and social distancing must be followed. If you are entering the state of Maine from another state you must quarantine for 10 days prior to entering or have a negative COVID-19 test 72 hours prior to entering the state.

### 1.3.4 Interview with Respondents

The University will review proposals and conduct oral interviews of all Respondents that submit a proposal to further clarify proposals and respond to questions from the University.

### 1.3.5 Confidentiality

The University must adhere to the provisions of the Maine Freedom of Access Act (FOAA), 1 MRSA §401 et seq. As a condition of submitting a response under this section, a respondent must accept that, to the extent required by the Maine FOAA, responses to this solicitation, and any ensuing contractual documents, are considered public records and therefore are subject to freedom of access requests.

The information contained in responses submitted for the University's consideration will be held in confidence until all evaluations are concluded and a Respondent selected (the successful Respondent). At that time the University will issue award notice letters to all participating Respondents and all Respondents' responses may be made available to participating Respondents upon request. Such request must be made by submitting a written request to the individual noted in the Response Contact Information shown on the cover sheet of this document,

with a copy of the request provided to the other Respondents. Such requests are public records.

After the protest period has passed and the Agreement is fully executed, responses will be available for public inspection upon request.

Pricing and other information that is an integral part of the offer cannot be considered confidential after an award has been made. The University will honor requests for confidentiality for information that meets the definition of “trade secret” under Maine law. **Clearly mark any portion of your submitted materials which are entitled to “trade secret” exemption from disclosure under Maine’s Freedom of Access Act. Failure to so identify as trade secret will authorize the University to conclude that no portions are so exempt; and that your entity will defend, indemnify and hold harmless the University in any and all legal actions that seek to compel the University to disclose under Maine’s Freedom of Access Act some or all of your submitted materials and/or contract, if any, executed between the University and your entity.**

### 1.3.6 Costs of Preparation

Respondent assumes all costs of preparation of the proposal and any presentations necessary to the response process.

### 1.3.7 Specification Protest Process and Remedies

If a Respondent feels that the specifications are written in a way that limits competition, a specification protest may be sent to the Office of Strategic Procurement to the email address provided on the cover page of this document. Specification Protests will be responded to within five (5) business days of receipt. Determination of protest validity is at the sole discretion of the University. The due date of the proposal may be changed if necessary to allow consideration of the protest and issuance of any necessary addenda. Specification protests shall be presented to the University in writing as soon as identified, but no less than five (5) business days prior to the Deadline for Proposal Submission noted in Section 1.4.1. No protest against the award due to the specifications shall be considered after this deadline. Protests shall include the reason for the protest and any proposed changes to the specifications.

## 1.4 General Submission Provisions

### 1.4.1 Timeline of Key Events

| Reference Section | Event Name                               | Event Due Date       |
|-------------------|--|----------------------|
| Section 1.3.3     | Deadline to Schedule a Site Visit        | 12/23/2020           |
| Section 1.3.3     | Site Visits                              | 1/4/2021 to 1/8/2021 |
| Section 1.3.2     | Deadline for Written Inquiries/Questions | 01/06/2021           |
| Section 1.3.2     | Response to Written Inquiries/Questions  | 01/11/2021           |
| Section 1.4.7     | Deadline for Proposal Submission         | 01/25/2021           |



|               |   |                         |
|---------------|---|-------------------------|
| Section 1.3.3 | Respondent Interviews<br><b>(subject to change)</b>                   | 02/01/2021 – 02/15/2021 |
| Section 3.2   | Award Announcement / Begin Negotiations<br><b>(subject to change)</b> | TBD                     |

#### 1.4.2 Eligibility to Submit Responses

The University identified entities as qualified for the Project as a result of the RFQ process. Only the qualified entities are invited to submit a response to this document.

#### 1.4.3 Debarment

Respondents must complete and submit the “Debarment, Performance and Non-Collusion Certification Form provided in Appendix B. Failure to provide this certification may result in the disqualification of the Respondent’s proposal, at the University’s discretion.

Submission of a signed response in response to this solicitation is certification that your firm (or any subcontractor) is not currently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any State or Federal department or agency. Submission is also agreement that the University will be notified of any change in this status.

#### 1.4.4 Response Understanding

By submitting a response, the Respondent agrees and assures that the specifications are adequate, and the Respondent accepts the terms and conditions herein. Any exceptions to specifications or terms and conditions should be noted in your response.

#### 1.4.5 Response Validity

Unless specified otherwise, all responses shall be valid for ninety (90) days from the due date of the response.

#### 1.4.6 Non-Response Submission

The University will not consider non-responsive submissions, including without limitation those with material deficiencies, omissions, errors or inconsistencies or that otherwise do not follow instructions. The University in its sole discretion will determine what is Non-Responsive.

#### 1.4.7 Response Submission

A **SIGNED** virus-free electronic copy must be submitted as follows:

- The response must be received electronically to the E-Mail shown in the **Response Submission Information** section of the cover page of this document.
- Electronic submission must be received by the required **Response Deadline Date/Time** reflected on the cover page of this document.
- Response submissions that exceed 20 MB will be submitted with multiple emails modifying email subject line shown in the **Response Submission Information** section of the cover page of this document to include: Submission 1 of X (‘X’ representing the number of files being submitted).





## 2.0 RESPONSE FORMAT REQUIREMENTS

### 2.1 General Format Instructions

#### 2.1.1 Electronic Submissions

Documents submitted as part of the electronic response are to be prepared on standard electronic formats of 8-1/2" x 11" and of PDF file type. Submissions requiring additional supporting information, such as, foldouts containing charts, spreadsheets, and oversize exhibits are permissible and must be submitted as Appendices, clearly numbered and referencing the Section in which they provide supporting information.

For clarity, the Respondent's name should appear on every document page, including Appendices. Each Appendix must reference the section or subsection number to which it corresponds.

#### 2.1.2 Respondents Responsibility

It is the responsibility of the Respondent to provide all information requested in the document package at the time of submission. Failure to provide information requested in this document may, at the discretion of the University's evaluation review team, result in a lower rating for the incomplete sections and may result in the response being disqualified for consideration. Include any forms provided in the application package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in this document.

#### 2.1.3 Brief Response

Respondents are asked to be brief and to respond to each question listed in the "Response to Questions" section of this document. Number each response in the response to correspond to the relevant question in this document.

#### 2.1.4 Additional Attachments Prohibited

The Respondent may not provide additional attachments beyond those specified in the document for the purpose of extending their response. Any material exceeding the response limit will not be considered in rating the response and will not be returned. Respondents shall not include brochures or other promotional material with their response. Additional materials will not be considered part of the response and will not be evaluated.

### 2.2 Response Format Instructions

This section contains instructions for Respondents to use in preparing their response. The Respondent's submission must follow the outline used below, including the numbering of section and sub-section headings. Failure to use the outline specified in this section or to respond to all questions and instructions throughout this document may result in the response being disqualified as non-responsive or receiving a reduced score.

The University and its evaluation team have sole discretion to determine whether a variance from the specifications provided herein should result in either disqualification or reduction in scoring of a response.

Re-phrasing of the content provided in this document will, at best, be considered minimally responsive. The University seeks detailed yet succinct responses that demonstrate the Respondent's experience and ability to perform the requirements specified throughout this document.

The RFP submission must follow the tab structure breakdown outlined below.

### **2.2.1 Section 1 - Response Cover Page**

- 2.2.1.1 Label this response - Section 1 – UMS Response Cover Page
- 2.2.1.2 Insert Appendix A – University of Maine System Response Cover Page
- 2.2.1.3 Insert Appendix B – Debarment, Performance and Non-Collusion Certification

### **2.2.2 Section 2 – RFP submission**

- 2.2.2.1 Label this response - Section 2 – RFP Submission
- 2.2.2.2 Insert responses to submittal requirements in section 1.2:
  - Table of Contents
  - Tab 1: Section 1.2.1 Executive Summary
  - Tab 2: Section 1.2.2 Team Roles & Responsibilities
  - Tab 3: Section 1.2.3 Project Concept
  - Tab 4: Section 1.2.4 Development Approach
  - Tab 5: Section 1.2.5 Ownership Structure
  - Tab 7: Section 1.2.6 Asset Management, Operation, and Maintenance Approach
  - Tab 7: Section 1.2.7 Financing Approach
  - Tab 8: Section 1.2.8 Pro Forma Assumptions
    - Insert Appendix M – Project Pro Forma Assumptions
  - Tab 9: Section 1.2.9 Project Pro Forma
  - Tab 10: References
    - Insert Appendix C – Organization Reference Form

## 3.0 EVALUATION AND AWARD PROCESS

### 3.1 Method of Evaluation

#### 3.1.1 Evaluation Factors

The evaluation score will be based on a 100-point scale and will measure the degree to which each response meets the following criteria:

| Criteria Category  | Category Elements   | Points     |
|--|---|------------|
| Project Approach   | <ul style="list-style-type: none"> <li>- Project concept alignment with UMaine’s institutional mission and required strategic outcomes</li> <li>- Achievement of UMaine’s design guidelines and standards</li> <li>- Achievement of UMaine’s sustainability goals and objectives</li> <li>- Achievement of UMaine’s desired delivery timeline</li> <li>- Overall proposal quality</li> </ul>            | 25         |
| Viability of the proposed financial structures   | <ul style="list-style-type: none"> <li>- Clarity and strength of the deal structures including their related impacts and opportunities as well as reversion terms</li> <li>- Financial strength of and commitment by the Respondent team</li> <li>- Viability of schedule and process to financial close</li> <li>- Legal and financial terms and conditions</li> </ul>                                 | 60         |
| Demonstration of comparable experience and qualifications in delivering the proposed Project | <ul style="list-style-type: none"> <li>- Demonstration of comparable experience and qualifications in delivering the proposed Project</li> <li>- Experience and qualifications of the Respondent team specifically relevant to proposed Project</li> <li>- Experience in developing a comprehensive operation and maintenance plan</li> <li>- Proper licensure of the entire Respondent team</li> </ul> | 15         |
| <b>Total Points</b>  |   | <b>100</b> |

The University will NOT seek a best and final offer (BAFO) from any Respondent in this procurement process. All Respondents are expected to provide their best value pricing with the submission of their response. Respondents will NOT be given another opportunity to modify pricing once submitted.

### 3.2 Award

The University reserves the right to waive minor irregularities, which may include contacting the Respondent to resolve the irregularity. Scholarships, donations, or gifts to the University, will not be considered in the evaluation of responses. The University may cancel this RFP or reject any or all responses, in whole or in part.

### 3.3 Award Protest

Respondents may appeal the award decision by submitting a written protest to the University of Maine System’s Chief General Services Officer within five (5) business days of the date of the award notice, with a copy of the protest to the successful Respondent. The protest must contain a statement of the basis for the challenge. Further information regarding the appeal process can be found at

[http://staticweb.maine.edu/wp-content/uploads/2015/07/APL\\_VII-A\\_20150630-FINAL.pdf?565a1d](http://staticweb.maine.edu/wp-content/uploads/2015/07/APL_VII-A_20150630-FINAL.pdf?565a1d)

If this RFP results in the creation of a pre-qualified or pre-approved list of vendors, then the appeal procedures mentioned above are available upon the original determination of that vendor list, but not during subsequent competitive procedures involving only the pre-qualified or pre-approved list participants.

## Appendix A – University of Maine System Response Cover Page

RFP # 2021-017  
 University of Maine (UMaine) Public Private Partnership (P3)  
 for Historical Building Redevelopment

|   |  |
|---|--|
| Organization Name:                            |  |
| Chief Executive – Name/Title:                 |  |
| Telephone:                                    |  |
| Fax:  |  |
| Email:  |  |
| Headquarters Street Address:                  |  |
| Headquarters City/State/Zip:                  |  |
| Lead Point of Contact for Quote – Name/Title: |  |
| Telephone:                                    |  |
| Fax:  |  |
| Email:  |  |
| Street Address:                               |  |
| City/State/Zip:                               |  |

1. This pricing structure contained herein will remain firm for a period of 90 days from the date and time of the quote deadline date.
2. No personnel currently employed by the University or any other University agency participated, either directly or indirectly, in any activities relating to the preparation of the Respondent’s response.
3. No attempt has been made or will be made by the Respondent to induce any other person or firm to submit or not to submit a response.
4. The undersigned is authorized to enter into contractual obligations on behalf of the above-named organization.
5. By submitting a response to a Request for Proposal, bid or other offer to do business with the University your entity understands and agrees that:
  - a. Your entity will identify at the time of submission which, if any, portion or your submitted materials are entitled to "trade secret" exemption from disclosure under Maine's Freedom of Access Act; that failure to so identify will authorize UMS to conclude that no portions are so exempt; and that your entity will defend, indemnify and hold harmless UMS in any and all legal actions that seek to compel UMS to disclose under Maine's Freedom of Access Act some or all of your submitted materials and/or contract, if any, executed between UMS and your entity.

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

Date: \_\_\_\_\_

\_\_\_\_\_  
 Name and Title (Printed)

\_\_\_\_\_  
 Authorized Signature

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

### University of Maine System DEBARMENT, PERFORMANCE and NON-COLLUSION CERTIFICATION

RFP # 2021-017

University of Maine (UMaine) Public Private Partnership (P3)  
for Historical Building Redevelopment

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:

- a. 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.
- b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:
  - i. Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.
  - ii. Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - iii. 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; and
  - iv. 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.
- c. 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 Respondent’s proposal, at the University’s discretion.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Name and Title (Printed)

\_\_\_\_\_  
Authorized Signature

## Appendix C – Organization Reference Form

**Respondent's Organization Name:** \_\_\_\_\_

**INSTRUCTIONS:** Provide a minimum of three (3) current professional references who may be contacted for verification of the Respondent's professional qualifications to meet the requirements set forth herein. We strongly prefer references from higher education institutions similar in size and requirements to the University of Maine System, including those with multi-campus integrated solutions.

We request that the references include one long-standing customer (minimum of 3 year engagement) and one new customer (one who has been engaged with Respondent for less than one year).

| REFERENCE #1             |  |
|--------------------------|--|
| Institution/Company Name |  |
| Contact Name             |  |
| Contact Title            |  |
| Contact Phone Number     |  |
| Contact eMail Address    |  |
| Relationship Length      |  |

| REFERENCE #2             |  |
|--------------------------|--|
| Institution/Company Name |  |
| Contact Name             |  |
| Contact Title            |  |
| Contact Phone Number     |  |
| Contact eMail Address    |  |
| Relationship Length      |  |

| REFERENCE #3             |  |
|--------------------------|--|
| Institution/Company Name |  |
| Contact Name             |  |
| Contact Title            |  |
| Contact Phone Number     |  |
| Contact eMail Address    |  |
| Relationship Length      |  |

| REFERENCE #4             |  |
|--------------------------|--|
| Institution/Company Name |  |
| Contact Name             |  |
| Contact Title            |  |
| Contact Phone Number     |  |
| Contact eMail Address    |  |
| Relationship Length      |  |