

STATE OF MAINE
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation



RFP# 202608133

Legal Services for Self-Insured Workers' Compensation Program

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Submitted Questions Due Date	September 11, 2026, no later than 4:00 p.m., local time
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Proposal Submission Deadline	DATE:	September 23, 2026, no later than 4:00 p.m., local time
	TO:	Vendor Self Service System

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PUBLIC NOTICE

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation
RFP# 202608133
Legal Services for Self-Insured Workers' Compensation Program

The State of Maine is seeking proposals for Legal Services for our self-insured Workers' Compensation Program.

A copy of the RFP and all related documents can be obtained through Vendor Self Service (VSS):
<https://mevss.hostams.com/PRDVSS1X1/AltSelfService>

Proposals must be submitted to the Office of State Procurement Services, via Vendor Self Service (VSS). Proposal submissions must be received no later than 4:00 p.m., local time, on September 23, 2026. Proposals will be opened on the following business day.

RFP TERMS/ACRONYMS with DEFINITIONS

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

<u>Term/Acronym</u>	<u>Definition</u>
Claim(s)	A request for workers' compensation benefits, which includes medical treatment and lost time.
Confidentiality	Preserving authorized restrictions on information access and disclosure, including means for protecting confidential or sensitive information. A loss of confidentiality is the unauthorized disclosure of information.
Data Classification	The process of risk assessment of data. See Appendix E for the Data Classification process (see also "PII Confidentiality Impact Level").
Department	Department of Administrative & Financial Services, Bureau of Human Resources, Employee Health, Wellness & Workers' Compensation.
Law Court	Maine Supreme Judicial Court.
OIT	Office of Information Technology.
PII (Personally Identifiable Information)	Data that is maintained by an agency that could potentially identify a specific individual and needs to be protected in accordance with state and/or federal law, including (1) any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and (2) any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.
PII Confidentiality Impact Level	The PII confidentiality impact level—low, moderate, or high—indicates the potential harm that could result to the subject individuals and/or the organization if PII were inappropriately accessed, used, or disclosed. (NIST SP 800-122). See Appendix E . PII is evaluated to determine its confidentiality impact levels, enabling appropriate safeguards to be applied.
RFP	Request for Proposals
State	State of Maine
State Data	Any information originating with the State, regardless of form or medium of disclosure (e.g., verbal, observed, hard copy, or electronic) or source of information. It includes any information concerning the State's information technology infrastructure, systems and software and procedures; and information originating with the State in the course of using and configuring the Services provided under the contract. It includes any sensitive information held by the State that may be protected from disclosure pursuant to a federal or state statutory or regulatory scheme intended to protect that information, or pursuant to an order, resolution or determination of a court or administrative board or other administrative body.
<u>Vendor Self Service System (VSS)</u>	The Vendor Self Service System (VSS) web portal provides vendors with a single-entry point to register, identify the commodities/services that their company provides, look for business opportunities, and respond to solicitations.

WC ACT	Maine Revised Statutes, Title 39-A- Maine Workers' Compensation Act.
WCB	The Workers' Compensation Board is the State agency that monitors and ensures compliance with Maine's workers' compensation laws.

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation
RFP# 202608133
Legal Services for Self-Insured Workers' Compensation Program

PART I INTRODUCTION

A. Purpose and Background

The Department of Administrative & Financial Services, Bureau of Human Resources, Employee Health, Wellness & Workers' Compensation (Department) is seeking proposals to provide Legal Services for the State of Maine's Self-Insured Workers' Compensation Program as defined in this Request for Proposal (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the awarded Bidder will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Bidder.

The Department is responsible for the overall management of the State's self-insured workers' compensation program. The Department has developed comprehensive partnerships and initiatives to prevent workplace injuries and provide the necessary services to our injured employees. The Department is responsible for ensuring injured workers receive the necessary and appropriate medical care and compensation for a work-related injury. The Department follows the mandates in the Maine Revised Statutes, Title 39-A - Maine Workers' Compensation Act, and the Rules and Regulations of the Workers' Compensation Board for all aspects of claims management.

The State employs approximately 12,000 employees, including seasonal employees. The Department provides workers' compensation coverage for the Executive, Judicial, and Legislative branches of state government. On average, approximately 1,200 workers' compensation claims are filed per year with the Department. A portion of those claims filed can result in disputed issues that will need to proceed through the dispute resolution process with the Workers' Compensation Board, which includes mediations, formal hearings, and appeals before the Appellate Division or the Maine Supreme Judicial Court. The Department requires legal services to advise and represent the Department on claims that are proceeding through that process.

Preferred Qualifications:

Demonstrated expertise and proven experience in the practice of workers' compensation law under Title 39-A M.R.S.A.

B. General Provisions

1. From the time the RFP is issued until award notification is made, all contact with the State regarding the RFP must be made through the RFP Coordinator. No other person/State employee is empowered to make binding statements regarding the RFP. Violation of this provision may lead to disqualification from the bidding process, at the State's discretion.
2. Issuance of the RFP does not commit the Department to issue an award or to pay expenses incurred by a Bidder in the preparation of a response to the RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
3. All proposals must adhere to the instructions and format requirements outlined in the RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Proposals must follow the format and respond to all questions and instructions specified below in the "Proposal Submission Requirements"

section of the RFP.

4. Bidders will take careful note that in evaluating a proposal submitted in response to the RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Bidder (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Bidder's experience and capabilities.
5. The proposal must be signed by a person authorized to legally bind the Bidder and must contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 180 days from the date and time of the bid opening.
6. The RFP and the awarded Bidder's proposal, including all appendices or attachments, will be the basis for the final contract, as determined by the Department.
7. Following announcement of an award decision, all records and documents regarding this RFP, including bid submissions, will be public records, available for public inspection pursuant to [5 M.R.S. §1825 B \(6 & 15\)](#) and the State of Maine Freedom of Access Act (FOAA) ([1 M.R.S. § 401](#) et seq.). State contracts and information related to contracts, including all records, documents, supporting documents, and bid submissions, are public records unless otherwise excepted by statute (*Id*).
8. Subject to the above and pursuant to applicable law, in the event that a Bidder believes any information that it submits in response to this RFP is confidential, it must mark that information accordingly, and include citation to legal authority in support of the Bidder's claim of confidentiality. In the event that the Department receives a FOAA request that includes submissions marked as confidential, the Department shall evaluate the information and any legal authority from the Bidder to determine whether the information is an exception to FOAA's definition of public record. If the Department determines to release information that a Bidder has marked confidential, it shall provide advance notice to the Bidder to allow for them to seek legal relief.
9. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to the RFP.
10. ACCESSIBILITY: All IT applications are required to comply with the [Digital Accessibility Policy](#). In addition, all IT applications and content delivered through web browsers are required to comply with the [State Web Standards](#).
11. STATE IT POLICIES: All IT products and services delivered as part of this Agreement shall conform to the [State IT policies, standards, and procedures](#) effective at the time this RFP is published.
12. If awarded a contract resulting from this RFP, vendors shall be required to disclose, in writing and in accordance with applicable Maine law, any actual or potential conflicts of interest. Such disclosure must include any financial, professional, or personal relationships that could give rise to a conflict of interest or the appearance of a conflict of interest. Failure to disclose a known conflict or appearance of conflict may result in disqualification, contract termination, or other remedies as provided by law.
13. 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.

C. Eligibility to Submit Bids

1. Maine licensed attorneys in good standing with the Maine Board of Overseers of the Bar

2. Evidence of professional liability insurance coverage.

D. Contract Term

The Department is seeking cost-efficient proposals to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. The dates below are estimated and may be adjusted, as necessary, in order to comply with all procedural requirements associated with the RFP and the contracting process. The actual contract start date will be established by a completed and approved contract.

Contract Renewal: Following the initial term of the contract, the Department may opt to renew the contract for two (2) 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	01/01/2027	9/30/2028
Renewal Period #1	10/1/2028	9/30/2030
Renewal Period#2	10/1/2030	9/30/2031

E. Number of Awards

The Department anticipates making multiple awards as a result of this RFP process to the highest bidders as a result of this RFP process.

PART II SCOPE OF SERVICES TO BE PROVIDED

A. General Requirements

1. The ability to legally represent the Department on any workers' compensation claim assignments and on all aspects of any given claim.
2. A comprehensive understanding and knowledge of the rules and laws surrounding workers' compensation, including but not limited to [39-A M.R.S.A.](#) and the Rules and Regulations of the Workers' Compensation Board.
3. Occasional travel to and from various locations throughout the State of Maine to meet with personnel from various departments, agencies, or facilities, including but not limited to attending hearings and mediations at the Workers' Compensation Board offices located throughout the State of Maine.
4. Advice on individual workers' compensation and employment-related matters
5. Provide annual training or seminars on [39-A M.R.S.A.](#), Rules and Regulations of the Workers' Compensation Board, and legal decisions that may establish new precedents or impact current practices.

Technical Requirements

ACCESSIBILITY: All IT applications must comply with the Digital Accessibility Policy (<https://www.maine.gov/oit/sites/maine.gov.oit/files/inline-files/DigitalAccessibilityPolicy.pdf>). In addition, all IT applications and content delivered through web browsers must comply with the State Web Standards (<https://www.maine.gov/oit/policies/webstandards.html>).

STATE IT POLICIES: All IT products and services delivered as part of this Agreement must conform to the State IT Policies, Standards, and Procedures ([Policies & Standards | Maine IT](#)) effective at the time this Agreement is executed. Special attention must be paid to the following policy/procedures:

B. Services and Expectations

The awarded Bidders will provide legal advice to the Department on workers' compensation matters, including representing the Department and the State before the WCB and the Law Court on contested matters in accordance with the WC Act.

The required services and expectations of the awarded Bidders will include, at a minimum but not limited to, the following:

1. Services

- a. Provide legal advice, counsel, services, and consultation to the Department on a variety of workers' compensation matters.
- b. Answer requests for legal opinions, in writing and verbally.
- c. Prepare written legal opinions at the request of the Department.
- d. Appear before the Workers' Compensation Board and Maine Supreme Judicial Court to represent the Department's interests.
- e. Engage in litigation-related matters, including discovery, court attendance, mediation, hearings, and similar activities to represent and defend the Department's interests.
- f. Work cooperatively and in coordination with the Office of Attorney General as needed.
- g. Provide informative updates to the Department on workers' compensation legislation or decisions issued by the WCB or Law Court that impact workers' compensation in the State of Maine.
- h. Provide training for personnel in the Department on current legal issues and topics that affect the management of workers' compensation claims in the State of Maine.
 - i. Training could be on-site when necessary or virtual using Microsoft Teams or Zoom.

2. Expectations

a. Referrals

- i. Accept only referrals that have been made by the Department and its authorized representatives.
- ii. Contact the Department within five (5) business days of receipt of the referral to confer on a plan of action for the assigned case.
- iii. Provide, within ten (10) business days, a legal analysis outlining
 - 1) The probability of a positive outcome;
 - 2) Identify the potential risks in proceeding with litigation and
 - 3) Whether or not the petition filed by a party is without merit.

b. Coordination with other State Agencies

- i. Consult with the Attorney General's Office on any claim approved by the Department, including claims that may also pertain to employment discrimination and/or the Maine Human Rights Commission.
- ii. Agree to utilize protocols as outlined by the Attorney General's Office on the coordination of workers' compensation claims with employment discrimination proceedings.
- iii. Consult with the Attorney General's Office on any Law Court appeals on assigned workers' compensation cases as requested by the Department.
- iv. Consult with the Department and Attorney General's Office on any information that suggests a health or safety threat to an employee, other employees, or to the public immediately upon knowledge of a potential threat.

c. Communication with Department

- i. Provide the Department with a quarterly summary update on all assigned cases.
- ii. Submit written communication regarding all actions (meetings, mediations, hearings, depositions, team or witness meetings, etc.) within 5 business days from the applicable action item.
- iii. Return all telephone calls and email communications from the Department within two (2) business days.
- iv. Submit written lump sum settlement evaluations or justifications to the Department when requested or when a request to settle has been received by the opposing party.
- v. Submission of written communication with the Department should be submitted electronically. The communication can be in the format of an email with an attached Adobe PDF or Word document.
- vi. Provide the Department with any Records of Mediations, Decrees, and/or Lump Sum Settlements documents within 24 hours of receipt.
- vii. Bill the Department monthly on an agreed-upon format.

d. Closing Files

- i. Submit a written closure report when the services being rendered are no longer necessary on a claim.
- ii. Submit a Withdrawal of Appearance to the WCB when closing a file.

PART III KEY RFP EVENTS

A. Vendor Self Service System (VSS)

1. The Office of State Procurement Services Vendor Self Service System website is found at the link below: <https://www.maine.gov/dafs/bbm/procurementservices/vendors/vendor-self-service-system>
2. A copy of the RFP and all associated documents will be published in VSS.
3. Only documents published in VSS will be considered binding.
4. Any interested party may view open solicitations in VSS using the Public Access feature.
5. Vendors must have an active User ID and password in VSS to submit questions and respond to solicitations, including this RFP.
 - a. Vendor registration instructions and User Guide may be found at the link above, which include steps for searching for an existing account/User ID, or registering for a new account/User ID.
 - b. Vendors interested in responding to a solicitation are encouraged to obtain a User ID and password for VSS as soon as possible.
6. Vendors must have an active Vendor Code (VC or VS) to contract with the department.

B. 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.
 - a. Questions must be submitted in VSS as soon as possible but no later than the date and time published in VSS.
 - b. Questions should be clearly stated and reference the applicable section and/or page number of the RFP.
 - c. The Department assumes no liability for assuring accurate/complete/on time transmission and receipt.
2. **Question & Answer Summary:** Responses to all questions will be compiled in writing and published in VSS no later than seven (7) calendar days prior to the Proposal Submission Deadline. It is the responsibility of all interested parties to go to VSS to obtain a copy of the Question & Answer Summary. Only those answers issued in writing in VSS will be considered binding.

C. Amendments

All amendments released in regard to the RFP will be published in VSS. It is the responsibility of all interested parties to go to VSS to obtain amendments. Only those amendments published in VSS are considered binding.

D. Proposal Submission

1. Proposals Due

- a. Proposal submissions must be received no later than the Proposal Submission Deadline (closing date) published in VSS.

- b. Any proposal submissions or any additional or revised proposal files received after the Proposal Submission Deadline will be rejected without exception.

2. Delivery Instructions

- a. Proposal submissions must be submitted to the Office of State Procurement Services via VSS.
- b. Only proposal submissions received via VSS will be considered. The Department assumes no liability for assuring accurate/complete receipt.
- c. Submissions containing links to file sharing sites or online file repositories will not be accepted as submissions. Only proposal submissions that have the actual requested files attached will be accepted.
- d. Encrypted submissions received which require opening attachments and logging into a proprietary system will not be accepted. Bidders should work with their Information Technology team to ensure that the proposal submission will not be encrypted due to any security settings.
- e. File size limits are 15MB per file. Bidders may separate their submissions into multiple files, as necessary, due to file size concerns.

3. Submission Format:

- a. Bidders must submit multiple files, with each file named and containing the required information as defined below.

File 1 [Bidder's Name] – Preliminary Information

PDF format preferred, and must include:

- **Appendix A** (Proposal Cover Page)
- **Appendix B** (Responsible Bidder Certification)
- And all required eligibility documentation stated in PART IV, Section I.

File 2 [Bidder's Name] – Organization Qualifications and Experience

PDF format preferred, and must include:

- **Appendix C** (Organization Qualifications and Experience Form)
- **Appendix D** (Subcontractors Form)
- And all required information and attachments stated in PART IV, Section II.

File 3 [Bidder's Name] – Proposed Services

PDF format preferred, and must include:

- **Appendix E** (Technical Assessment Form)
- **Appendix F** (Proposed Services Form)
- And all required information and attachments stated in PART IV, Section III.

File 4 [Bidder's Name] – Cost Proposal

PDF format preferred, and must include:

- **Appendix G** (Cost Proposal Form)

PART IV PROPOSAL SUBMISSION REQUIREMENTS

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

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

Bidders are not to provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Additional materials not requested will not be considered part of the proposal and will not be evaluated. Bidders must 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.

2. Responsible Bidder Certification

Bidders must complete **Appendix B** (Responsible Bidder Certification). The Responsible Bidder Certification must be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.

3. Eligibility Requirements

Bidders must provide documentation to demonstrate meeting eligibility requirements stated in PART I, C. of the RFP. This documentation includes:

- a. Provide a summary that documents the firm's expertise in the practice of law under Title [39-A M.R.S.A.](#) Workers' Compensation Act.

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 (3) examples of projects which demonstrate their experience and expertise in performing these services, as well as highlighting the Bidder's stated qualifications and skills.

2. Subcontractors

Bidders must complete **Appendix D** (Subcontractors Form) to provide a list that specifies the name, address, phone number, contact person, and a brief description of organizational capacity and qualifications for any subcontractors to be used. If no subcontractors will be used, indicate as such on the form.

3. 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.

4. 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.

5. Financial Viability

Bidders must provide the following information for each of the past three (3) tax years:

- a.** Balance Sheets
- b.** Income (Profit/Loss) Statements

6. 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:

- a.** Submit documentation confirming that the assigned attorneys are currently licensed and in good standing with the Maine Board of Overseers of the Bar.

7. 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. Technical Assessment

Bidders must complete **Appendix E** (Technical Assessment Form) to describe the Bidder's capability to meet the stated requirements and policies identified in this RFP.

2. Services to be Provided

Bidders must complete **Appendix F** (Proposed Services Form) to discuss the Scope of Services referenced above in Part II of the RFP and what the Bidder will offer, including a description of the methods and resources the Bidder will use and how each task involved will be accomplished. Bidders must also describe how the expectations and/or desired outcomes as a result of these services will be achieved. If subcontractors are involved, Bidders must clearly identify the work each will perform.

Section IV Cost Proposal (File #4)

1. Cost Proposal Form

Bidders must complete **Appendix G** (Cost Proposal Form).

2. General Instructions

- a.** The cost proposal must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.
- b.** No costs related to the preparation of the proposal for the RFP, or to the negotiation of the contract with the Department, may be included in the proposal. Only costs to be incurred after the contract effective date that are specifically related to the implementation or operation of contracted services may be included.

PART V PROPOSAL EVALUATION AND SELECTION

Evaluation of the submitted proposals will be accomplished as follows:

A. Evaluation Process – General Information

1. An evaluation team, composed of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP.
2. Officials responsible for making decisions on the award selection will ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Bidder whose proposal provides the best value to the State of Maine.
3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders, if needed, to obtain clarification of information contained in the proposals received. The Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations.
4. Changes to proposals, including updating or adding information, will not be permitted during any portion of the evaluation process. Therefore, Bidders must submit proposals that present their rates and other requested information as clearly and completely as possible.

B. Scoring Weights and Process

1. **Scoring Weights:** Proposal scores will be based on a 100-point scale and will measure the degree to which each proposal meets the following criteria. The proposal materials that will be evaluated under each section below are identified in Part IV of the RFP.

Section I.	Preliminary Information	(No Points)
Section II.	Organization Qualifications and Experience	35
Section III.	Proposed Services	35
Section IV.	Cost Proposal	30
Total		100

2. **Scoring Process:** For proposals that demonstrate meeting the eligibility requirements in Section I, if applicable, 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. Section IV, the Cost Proposal, will be scored as described below.
3. **Scoring the Cost Proposal:** The total cost proposed for conducting all the functions specified in the RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded 30 points. Proposals with higher bid values will be awarded proportionately fewer points calculated in comparison with the lowest bid.

The scoring formula is:

(Lowest submitted cost proposal / Cost of proposal being scored) x 30 = pro-rated score

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

C. Negotiations

1. The Department reserves the right to negotiate with the awarded Bidder(s) to finalize a contract. Such negotiations may not significantly vary the content, nature, or requirements of the proposal or the Department's Request for Proposal to an extent that may affect the price of goods or services requested.
2. The Department reserves the right to terminate contract negotiations with an awarded Bidder who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP.
3. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

D. Selection and Award

1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.
2. Notification of conditional award selection or non-selection will be made in writing by the Department.
3. Issuance of the RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to the RFP, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
4. The Department reserves the right to reject any and all proposals or to make multiple awards.

E. 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](#) and [18-554 Code of Maine Rules 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 fifteen (15) calendar days of receipt of notification of conditional contract award.

PART VI CONTRACT ADMINISTRATION AND CONDITIONS

A. Contract Document

1. The awarded Bidder will be required to execute an [IT Service Contract \(IT-SC\) with Confidentiality and Non-Disclosure Agreement \(NDA\)](#) including appropriate riders as determined by the issuing department. Bidders shall carefully review the IT-SC.

All exceptions will be negotiated between the awarded Bidder(s) and the State. The State will not accept any proposed exceptions as part of this RFP process. The State is not obligated to accept, negotiate, or compromise of any proposed exceptions.

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 Office of State Procurement Services' website at the following link: [Office of State Procurement Services Forms Page](#).

2. 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\(B\)\(i\)](#).)

This provision means that a contract cannot be effective until at least fourteen (14) calendar days after award notification.

3. The State recognizes that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Procurement Review Committee. Any appeals to the Department's award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date listed in the RFP may need to be adjusted, if necessary, to comply with mandated requirements.
4. 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.

B. 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.

2. Payments and Other Provisions

The State anticipates paying the awarded Bidder on the basis of net 30 payment terms, upon

the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from the RFP.

PART VII LIST OF RFP APPENDICES AND RELATED DOCUMENTS

Appendix A – Proposal Cover Page

Appendix B – Responsible Bidder Certification

Appendix C – Qualifications and Experience Form

Appendix D – Subcontractors Form

Appendix E – Technical Assessment Form

Appendix F – Proposed Services Form

Appendix G – Cost Proposal Form

APPENDIX A

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation

PROPOSAL COVER PAGE

RFP# 202608133

Legal Services for Self-Insured Workers' Compensation Program

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

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

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

Name (Print):	Title:
Authorized Signature:	Date:

APPENDIX B

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation
RESPONSIBLE BIDDER CERTIFICATION
RFP# 202608133
Legal Services for Self-Insured Workers' Compensation Program

Bidder Name:	
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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.*
- c. 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.*
- d. 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.*
- e. 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.*
- f. Is not a foreign adversary business entity (<https://www.maine.gov/oit/prohibited-technologies>).*
- g. Is not on the list of prohibited companies (<https://www.maine.gov/oit/prohibited-technologies>) or does not obtain or purchase any information or communications technology or services included on the list of prohibited information and communications technology and services <https://www.maine.gov/oit/prohibited-technologies> (Title 5 §2030-B).*

Name (Print):	Title:
Authorized Signature:	Date:

APPENDIX C

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation

QUALIFICATIONS and EXPERIENCE FORM

RFP# 202608133

Legal Services for Self-Insured Workers' Compensation Program

Bidder Name:	
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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. The Bidder may expand this form and use additional pages to provide this information.

--

Provide a description of projects the Bidder performed which occurred within the past five (5) years and reflect experience and expertise needed in performing the functions described in Part II – Scope of Services to be Provided of the RFP. The Bidder may expand this form and use additional pages to provide this information.

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:	
Project Start/End Dates:	
Brief Description of Project	

Project Two	
Client Name:	
Client Contact Person:	
Telephone:	

E-Mail:	
Project Start/End Dates:	
Brief Description of Project	

Project Three	
Client Name:	
Client Contact Person:	
Telephone:	
E-Mail:	
Project Start/End Dates:	
Brief Description of Project	

APPENDIX D

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation

SUBCONTRACTORS FORM

RFP# 202608133

Legal Services for Self-Insured Workers' Compensation Program

Bidder Name:	
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Subcontractors

If subcontractors are to be used, Bidders must use the tables below to describe the name, address, phone number, contact person, and a brief description of the subcontractors' organizational capacity and qualifications.

Subcontractor 1
Subcontractor Name:
Contact Person:
Telephone:
E-Mail:
Brief Description of Anticipated Role and Qualifications

Subcontractor 2
Subcontractor Name:
Contact Person:
Telephone:
E-Mail:
Brief Description of Anticipated Role and Qualifications

Subcontractor 3
Subcontractor Name:
Contact Person:
Telephone:
E-Mail:
Brief Description of Anticipated Role and Qualifications

APPENDIX E

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation

TECHNICAL ASSESSMENT FORM

RFP# 202608133

Legal Services for Self-Insured Workers' Compensation Program

Bidders must complete the Technical Assessment Form embedded below.

The Technical Assessment Form may be obtained by double-clicking the Excel (xlsx) icon below.



Technical Assessment
Form_5.28.25.xlsx

APPENDIX F

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation

PROPOSED SERVICES FORM

RFP# 202608133

Legal Services for Self-Insured Workers' Compensation Program

Bidder Name:	
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Services to be Provided Bidders must discuss the Scope of Services referenced in Part II of the RFP and what the Bidder will offer, including a description of the methods and resources the Bidder will use and how each task involved will be accomplished. Bidders must also describe how the expectations and/or desired outcomes as a result of these services will be achieved. If subcontractors are involved, Bidders must clearly identify the work each will perform.

APPENDIX G

State of Maine
Department of Administrative & Financial Services
Office of Employee Health, Wellness, & Workers' Compensation

COST PROPOSAL FORM

RFP# 202608133

Legal Services for Self-Insured Workers' Compensation Program

Bidder Name:	
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Proposed Cost:	\$
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Special Instructions

1. Bidders must submit a cost proposal that covers the Initial Period of Performance and all Renewal Periods as defined in Part I of the RFP.
2. The hourly rate is considered the Proposed Cost and will be used to score the cost proposal as defined in Part V, B, 3 of the RFP.
3. The Proposed Cost must be presented as follows:

Proposed Rates:

Services Provided	Hourly Rate	Flat Rate	No Charge	Other
Preparation of the Required Quarterly Report				
Trainings Outside of Annual Training				
Travel to Mediations, Hearings, and Meetings				
Copies of Records				
Attorney Services				
Paralegal Services				
Total				