

Monhegan Plantation Request for Proposals for Monhegan Breakwater

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I: REQUEST FOR PROPOSAL

DATE: 11/07/2025

Statement of Purpose:

Monhegan Plantation is seeking proposals to execute one element of its breakwater restoration project: the strategic placement of large rocks that have fallen off the breakwater back onto the structure.

Background Information:

Monhegan Plantation is an unbridged island 12 nautical miles off the coast of Maine, home to a year-round population of approximately 65 residents and a seasonal population of several hundred. Its natural harbor provides storm shelter and creates the foundation that allows for safe inhabitation of the island. Necessary to long-term community-life on the island is a regular access point to the island and increased safety for waterfront properties along the rocky, low-lying coast. The manmade wharf and breakwater capitalize on the harbor structure to form the basis for these waterfront conditions.

The waterfront access constitutes the center of commerce and movement for the island community. All passenger ferries arrive at the only wharf, located at the north side of the harbor, transporting thousands of visitors in the high season. It is at this point where lobstermen load and unload gear, as well as fuel and bait. It is where UPS and FedEx packages as well as the USPS mail arrive. It is also where all goods for the island, such as propane, firewood, coal, and building materials, are delivered. Since 2021, Monhegan's business community has contributed over \$26.5 million in sales tax revenue to Maine's economy; in 2024 alone, that contribution was close to \$7 million.

Without the breakwater protecting our working waterfront, the wharf would not be able to function and allow the aforementioned activities to take place, and Monhegan's year-round and seasonal communities would be placed in jeopardy. In order to maintain productivity and relevance into the future, Monhegan's working waterfront, which includes the breakwater wharf, harbor and beaches need to become more resilient to weather the increasing severity of storms as well as sea level rise.

Monhegan currently is contracting with GEI Consultants of Portland, Maine, to conduct a wave modeling study of Monhegan Harbor to support concept designs for breakwater repairs and mitigation. This project is supported by a Community Resilience Partnership Community Action (CRPCA) Grant that was awarded in May 2025, with the final deliverables due by May 14, 2026.

However, more immediate restoration is necessary to prepare the island community and infrastructure for anticipated 2025-2026 winter storms. To that end, this Request for Proposals is being submitted calling for bids for immediate project work. Namely, the strategic placement of large rocks that had fallen off the breakwater towards Fish Beach during the January 2024 storms back onto the breakwater. This will involve identification of rocks previously placed on the breakwater as well as the lifting and replacement of the aforementioned rocks onto the breakwater.

Tasks to be Accomplished:

Identification of rocks previously located on the breakwater

Lifting and strategic placement of rocks onto the breakwater

PROJECT BID DUE BY: 12/05/2025.

PROJECT BID REQUIREMENTS:

Insurance: The general Contractor and Subs involved in construction must carry the following insurance:

(a) Workers' compensation and employers' liability insurance, as required by law, covering all their employees who perform any of the obligations of the contractor, engineer, and architect under the contract. If any employer or employee is not subject to the workers' compensation laws of the governing state, then insurance shall be obtained voluntarily to extend to the employer and employee coverage to the same extent as though the employer or employee were subject to the workers' compensation laws.

(b) Public liability insurance covering all operations under the contract shall have limits for bodily injury or death of not less than \$1 million each occurrence, limits for property damage of not less than \$1 million each occurrence, and \$1 million aggregate for accidents during the policy period. A single limit of \$1 million of bodily injury and property damage is acceptable. This required insurance may be in a policy or policies of insurance, primary and excess including the umbrella or catastrophe form.

(c) Automobile liability insurance on all motor vehicles used in connection with the contract, whether owned, non-owned, or hired, shall have limits for bodily injury or death of not less than \$1 million per person and \$1 million per occurrence, and property damage limits of \$1 million for each occurrence. This required insurance may be in a policy or policies of insurance, primary and excess including the umbrella or catastrophe form.

Expected Material Cost: See Schedule of Materials.

Total Project Price will include *all* Labor and Materials to furnish and install a fully operational second story dormer on the MPPD facility building.

Materials Cost Estimate: Please include:

An estimated cost breakdown of all building materials.

Freight charges should be included in materials costs however, freight charges cannot be marked up.

Expected Labor Cost: Please include:

Hourly rate, anticipated crew needs and rates, and total labor hour estimate.

Anticipated Time Frame: Please provide a timeline for when the work will begin and how long it will take.

Please be as specific as possible.

INTERESTED PARTIES PLEASE SUBMIT COMPLETE PROPOSALS TO:

TownOffice@MonheganPlantation.com

II: SCHEDULE OF MATERIALS

Please list all necessary materials.

Please communicate if favorable weather conditions are necessary for the completion of the work herein described.

Plantation officials reserve the right to review any and all work plans, material, etc.

Work materials disposal: Any expendable materials necessary for the execution of this project must be disposed of off island through existing Island-wide disposal methods.

III: PROCUREMENT POLICY ON COMPETITIVE BIDDING

Section I. Purpose: The purpose of this policy is to standardize the purchasing procedure for Monhegan Plantation, resulting in a uniform purchasing policy in an effort to both save money and increase public confidence in the procedures for municipal purchasing. Additionally, it is to promote the fair and equitable treatment of all suppliers of goods and services and to clearly set forth the duties and responsibilities of the Municipal Administrator, Department Heads, and any other designated staff.

Section 2. Applicability: This policy shall apply to all purchases and services made by or used by departments or agencies of Monhegan Plantation, except as otherwise specified herein.

Section 3. Definitions:

- A. Approved Vendor - Those vendors and contractors not on the disqualification list and possess the necessary expertise and qualifications.
- B. Bid Most Advantageous to the Plantation - A bid chosen on the basis of price, quality of product, suitability of product, and the service reputation of the bidder and therefore may not necessarily mean the lowest bid received.
- C. Competitive Bidding - The process of obtaining the bid most advantageous to the Plantation for any purchase, whether through formal or informal bidding procedures including quotes.
- D. Emergency - In the case of an emergency, there is a threat to life, public health or safety, improved property, or some other form of dangerous situation that requires immediate action to alleviate the threat. Emergency conditions are generally more short-lived than exigency circumstances.
- E. Exigency - In the case of an exigency, there is a need to avoid, prevent, or alleviate serious harm or injury, financial or otherwise, to the applicant, and use of competitive procurements would prevent the urgent action required to address the situation. Thus, a noncompetitive procurement may be appropriate.
- F. Informal Bid - A written or oral quotation obtained from approved vendor or contractor, but not required to be opened publicly at specified day, place, and time.
- G. Formal Bid - A written quotation obtained in a sealed envelope from an approved vendor, having been publicized, and opened publicly at a specified day, place, and time.
- H. Field Purchase - Any informal purchase of supplies needed in small quantities for day-to-day operations made directly by a department head or their designee from an approved vendor.

I. Purchase - The buying, contracting, renting, leasing, or otherwise acquiring of supplies or services for a price.

J. Purchase Order - Written documentation requesting approval for services or goods on behalf of the Plantation. For the purposes of this policy, a Purchasing Requisition Memo shall act as a substitute for a Purchase Order, at the Municipal Administrator's discretion, and includes the product or service being purchased, vendor, cost, and any other relevant information.

K. Cooperative Purchase - Purchases made by the Plantation in conjunction with, or from, another governmental or quasi-governmental agency such as the State of Maine, Lincoln County, or another municipality or school district.

L. Emergency - Any situation or circumstance by its nature or severity, as deemed so by the Municipal Administrator or First Assessor, that would inhibit the department from providing delivery of services when said services are or may be, needed that requires an override of the procedures set out in this policy.

M. Services - The lease, rental, repair, maintenance, supplies, materials, or equipment necessary to the Municipal Government.

N. Specifications - The standards, including quality, set by the Municipality set forth as a measure of that which successful bidders must achieve. Includes both technical specifications which shall state formulations as broadly as practical, yet specific enough to describe the requirements, and non-technical specifications for bids, which shall state the quality required in general terms.

Section 4. Purchasing Parameters

A. Purchasing Agent

The Municipal Administrator and First Assessor are designated as the Purchasing Agents for the Plantation. The Municipal Administrator, First Assessor and Department Heads are authorized to spend within budget appropriations in accordance with this policy. The ranges listed are meant to be guidelines and not rigidly defined.

B. Cooperative Purchases

The Municipal Administrator may make cooperative purchases without competitive bidding if the purchase being made after competitive bidding by the cooperative entity is at a price more advantageous than the Plantation would be likely to obtain by competitive bidding on its own. Amounts that exceed \$25,000 require Board of Assessors approval for inclusion to cooperative purchases/bidding.

For federally-funded cooperative purchasing, cooperative agreements must meet federal procurement standards to be eligible for funding, including for the Federal Emergency Management Agency (FEMA).

C. Bid Waiver

When a purchase is inappropriate for competitive bidding due to the nature of the item, time constraints, or other limiting factors, the Board of Assessors may vote to waive the formal bid process. When work projects are able to be completed in-house, competitive bidding is not required.

In the case of federally-funded purchasing, federal regulations should be reviewed as bid waivers may not be allowed in certain circumstances. Specifically, the Federal Emergency Management Agency (FEMA) does not permit bid waivers unless compliant with federal exceptions for non-competitive procurement (Refer to Section 5. Miscellaneous. A. below).

D. Products, Goods & Equipment

1. \$0 - \$1999. Defined as field purchases. Purchases may not be broken up for the purpose of avoiding additional requirements as listed in this section.

2. \$2,000 - \$4,999. Prior authorization is required. Department heads are required to submit a written request or purchase order to the Municipal Administrator prior to commitment of funds. Formal competitive bid is not required. However, the purchaser should endeavor to get the best value for the money spent. The Municipal Administrator or designee must approve the purchase.

3. \$5,000 - \$24,999. Prior authorization is required. All solicitation documents must include a clear description of the need for the goods or services being procured. Informal bids or quotes must be solicited from a minimum of three bidders. In cases when a quote from three bidders is not possible, documentation must be provided to the Municipal Administrator and approved. Quotes must be attached to the formal request. The Municipal Administrator or designee must approve the purchase prior to commitment of funds.

Following the approval of the annual budget at the Annual Plantation Meeting, the Board of Assessors may direct the Municipal Administrator or First Assessors to seek bids for individual projects with a projected cost of \$5,000-\$24,999, but such direction shall be clearly worded in a motion(s) at a regular Board of Assessors meeting and sufficiently in advance of the timetable for the work that bids may be collected and reviewed before work begins. Lacking such direction, the Municipal Administrator may arrange to have work performed in a timely manner at their discretion and in compliance with existing Plantation policies. The Road Commissioner may hire contractors on a day-to-day basis as needed for individual projects that would not reasonably be expected to cost more than \$10,000 as long as such projects are not designated by the Assessors in advance as requiring competitive bids. No other employee may contract for services without the approval of either the Municipal Administrator, First Assessors or Board of Assessors.

4. \$25,000 & Over. Written bid specifications or equivalent is required and must be approved by the Municipal Administrator prior to being advertised. This is a formal bid process. All

solicitation documents must include a clear description of the need for the goods or services being procured. The Municipal Administrator will bring such bids to a BOA regular or special meeting for BOA review and approval. Alternatively, the Municipal Administrator may solicit bids directly from vendors, but no awards will be made without the approval of the majority of the Assessors at a regular or special BOA meeting.

The Board of Assessors has final awarding responsibility. The Board of Assessors shall award the Bid Most Advantageous to the Municipality.

E. Services' Contract

1. \$0 - \$4,999. One year or less in duration. Purchase Order authorized in advance is required; formal competitive bidding is not required; contractor shall be on approved vendor list. The Municipal Administrator, or designee, must approve the contract prior to commitment of funds.
2. \$5,000 - \$49,000. One year or less in duration. Purchase Order authorized in advance is required. Informal bids or quotes must be solicited from a minimum of three bidders, if available. Quotes must be attached to the formal request or explanation if not available. If within appropriation amounts, the contract only needs approval by the Municipal Administrator, provided there is a termination clause; if outside appropriation amounts, it requires the Municipal Administrator recommendation, approval from the Board of Assessors, and potentially Town Meeting approval.
3. \$50,000 & Over. One year or less in duration. Written RFP specifications created by the Municipal Administrator and approved by the Board of Assessors prior to being advertised is required. The RFP shall be advertised by the most efficient means possible in order to encourage the widest competition possible. Sealed proposals shall be specified and opened at a public meeting by the Municipal Administrator or designee. Bids for projects or contracts shall be clear and subject to examination by the Board of Assessors. Proof of applicable insurance and Worker's Compensation law compliance will be required. The Board of Assessors has final awarding responsibility. The Board of Assessors is not bound to accept the lowest bid on a project but cost to Monhegan Plantation will be a factor considered. The Board of Assessors may award the service contract to a bidder other than the lowest bidder if they believe it to be in the best interest of the Municipality.
4. \$50,000 & Over One Year in Duration. Contract requires ratification of an Annual Plantation Meeting Vote.
5. Time & Material Contracts. For federally-funded purchasing related to Federal Emergency Management Agency (FEMA), time & material contracts require ceiling prices and monitoring per FEMA guidelines.
6. Federal Contract Clauses. For federally funded purchasing, contracts must contain the applicable provisions described in Title 2 § 200.327 of the Code of Federal Regulations (Ref: [2](#)

C.F.R. § 200.327 and Appendix II to Part 200). Contracts should include language to address the following as required by federal and other entities:

- a. Legal/contractual/administrative remedies for breach of contract
- b. Termination for cause or convenience
- c. Equal Employment Opportunity
- d. Davis Bacon Act
- e. Copeland Anti-Kickback Act
- f. Contract Work Hours and Safety Standards Act
- g. Rights to inventions made under a contract or agreement
- h. Clean Air Act and Federal Water Pollution Control Act
- i. Debarment and Suspension
- j. Byrd Anti-Lobbying Amendment
- k. Procurement of Recovered Materials

F. Record of Formal Bids & RFPs. The Municipal Administrator shall keep a record of all bids and RFPs submitted, and such record shall be open to proper inspection by any interested party.

F. Disqualification of Bidders. The Municipal Administrator shall have the exclusive authority to disqualify bidders who default on their bids, quotations, contracts, or purchase orders from receiving further awards from the Municipality. Such a decision will be subject to the right of the disqualified bidder to appeal to the Board of Assessors for reversal or reinstatement.

F. Rejection of Bids & RFPs. The Municipality reserves the right to reject any and all bids, or to accept the bid that appears to be in the best interest of the Municipality, investigate the qualifications of any bidder, and to waive or not waive any and all informalities in the bids when making an award.

F. Authorization of Documentation. The Municipal Administrator has the authorization to execute such documents that are required to complete the approved purchase. The BOA may sign contracts or authorize the Municipal Administrator to sign in its stead.

F. Field Purchases. Any Department Head or designee authorized to purchase items on behalf of the Municipality must supply receipts for all monies spent. Failure to do so may

result in discipline. Municipal Administrator and First Assessors (or Board of Assessors) shall have the exclusive authority to determine whether or not an employee has purchasing powers on behalf of the Municipality.

- F. Enforcement of Approved Contracts: The Board of Assessors must approve any action to enforce a contract if the contractor fails to honor the terms of the contract, and, in such circumstances, must approve any action to collect funds.
- F. Record Keeping: The Plantation shall maintain records sufficient to detail the history of a procurement. For contracts, the records should include, but are not limited to, the rationale for the method of procurement, the selection of the contract type, the contractor selection or rejection, and the basis for the contract price, as well as the contract document and any contract modifications with the signatures of all parties. Contract documents pertinent to a Federal award must be retained for the required period from the date of submission of the final expenditure report (Reference: 2 C.F.R. § 200.334).
- F. Annual Review. The Board of Assessors will review contracts for services on an annual basis (e.g. accounting, legal services, assessing, insurance) and may renew existing contracts without bid if they are satisfied with the service provided.

Section 5. Miscellaneous.

A. Emergencies & Exigencies. In such defined times, the Municipal Administrator, First Assessor (or other designated member of the Board of Assessors) may authorize immediate negotiated purchases of supplies or services not to exceed \$15,000 that are needed to protect the best interests of the Municipality. The Municipal Administrator, First Assessor or designee will report to the Board of Assessors the use of these emergency funds at the next open Board of Assessors meeting.

In such cases, the Department Head or Municipal Administrator should:

1. Document a justification to describe the emergency or exigent circumstances including: 1) explaining why sole-sourcing is necessary based on the specific conditions and circumstances that demonstrate why immediate or urgent action is needed and 2) including the specific steps taken to determine why full and open competition could not have been used. A separate justification is required for every sole-sourced contract.
2. Provide a brief description of the goods or services to justify the need for the specific good or service being contracted to address the emergency or exigency circumstance.
3. Estimate the expected dollar amount of the goods or services: A cost or price analysis is required for all procurement transactions above \$250,000.

4. Describe any known conflicts of interests and efforts made to identify possible conflicts of interests. If no efforts were made, explain why.
5. Define and justify the period of emergency or exigency for the specific situation: The period of emergency or exigent circumstances may vary per incident.
6. Transition to a competitively bid contract as soon as the emergency or exigent period ends. Failure to plan for transition to a competitively bid contract cannot be the basis for continued use of an emergency or exigency exception.

During emergency or exigent circumstances, sole-sourcing may be allowed

1. Contracts must include the required contract clauses.
2. Contract must include the federal bonding requirements if the contract is for construction or facility improvement.
3. Contract must be awarded to a responsible contractor.
4. A cost or price analysis may be required to determine that the cost or price of the contract is fair and reasonable.
5. Contracts may not be allowed to be a cost-plus-percentage-of-cost contract type. Additional compliance rules may be required for time-and-materials contracts.
6. Any known conflicts of interest should be documented, as well as any efforts that were made to identify possible conflicts of interest before a sole-sourced contract was awarded.

If the sole-sourcing is federally-funded, the municipality must follow federal procurement regulations including Title 2 § 200.320(c) of the Code of Federal Regulations (Ref: [2 C.F.R. § 200.320\(c\)](#)). A noncompetitive procurement method may be used only in specific circumstances as defined in [2 C.F.R. § 200.320\(c\)](#). The specific circumstances may include but are not limited to regulations related to threshold(s), limited sourcing, urgency of action during emergencies and exigencies, written documentation and approval in communications with Federal agencies or pass-through entities, and inadequacy of competition.

- B. Revision Power by the Municipal Administrator. The Municipal Administrator shall examine each purchase order and shall have the authority to revise it as to quantity, quality, or estimated costs; but revision as to quality shall be only with the concurrence of the using department.
- B. Tax Exemptions. The Municipal Administrator and Department Heads shall act to procure for the Municipality all Federal and State tax exemptions to which the Municipality is entitled.

Section 6. Conflicts of Interest

Any official, officer, or employee of the Municipality who has a financial interest, direct or indirect, or by reason of ownership of stock in any corporation, or ownership interest in a business entity, in any contract with the Municipality, or in the sale of any land, material, supplies, or services to the Municipality or to a contractor supplying the Municipality, shall make known that interest and shall refrain from voting upon or otherwise participating in their capacity as an official, officer, or employee in making such sale or otherwise in the making or performing of such contract.

Any official, officer, or employee who willfully conceals such financial interest or willfully violates the requirement of this section shall be guilty of malfeasance in office or position and shall forfeit his/her office or position. Violation of this section with the expression of implied knowledge of the person or business entity contracted with or making a sale to the Municipality shall, at the option of the Municipality, render the contract or sale voidable.

In all proceedings before the Municipality, every municipal official shall attempt to avoid the appearance of a conflict of interest by disclosure or abstention.

This policy supersedes any prior policy related to this subject.

Cross Reference: Credit Card Use Policy

Adopted: 05/14/25 by Board of Assessors (J. Buccheri, A. Dalrymple, M. Brassard)