

State of Maine Waiver of Competitive Bidding Request Form

Form Instructions: Please provide the requested information in the white boxes below. This form is to precede all contract requests that are not the direct result of a competitive bid process.

Requesting Department's Contract Administrator:	Megan Dichter	Office/Division/Program of Contract Administrator:	MDOE/Adult Education
Est. Contract Amount:	\$ 11,200.00	Contract or RQS Number:	CT20200113*2071
Proposed Start Date:	12/29/19	Proposed End Date:	12/29/20
Vendor/Provider Name, City, State:		Certiport, a business of NCS Pearson, Inc., 1276 South 820 East, Suite 200 American Fork, Utah 84003	
Short Description of Good or Service:		2 IC3 Credential License bundles	
<p>Please note, for transparency purposes, Waivers of Competitive Bidding will be publicly posted. Public postings are placed on the Division of Procurement Services website for a period of seven consecutive calendar days.</p>		<p>To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>2/3/2020</u> To: <u>2/10/2020</u></p>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0220200101	
<p>1. Statutory Justification State of Maine statute (5 M.R.S. §1825-B(2)) allows waivers of competitive bidding only for the specific reasons listed below. Please mark the appropriate box (X) next to the justification which applies to this specific request.</p>			
<input type="checkbox"/>	A. The procurement of goods or services by the State for county commissioners pursuant to Title 30-A, section 124, involves the expenditure of \$2,500 or less, and the interests of the State would best be served;		
<input type="checkbox"/>	B. The Director of the Bureau of General Services is authorized by the Governor, or the Governor's designee, to make purchases without competitive bidding because, in the opinion of the Governor or the Governor's designee, an emergency exists that requires the immediate procurement of goods or services;		
<p><i>If citing the above justification for this Waiver of Competitive Bidding request, please have the requesting Department's Commissioner or Chief Executive (as the Governor's "designee") sign and date on the right.</i></p>		<p><i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i></p> <p>Signature:</p>	
		Printed Name:	Date:
<input checked="" type="checkbox"/>	C. After reasonable investigation by the Director of the Bureau of General Services, it appears that any required unit or item of supply, or brand of that unit or item, is procurable by the State from only one source;		
<input type="checkbox"/>	D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum		

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	products;
	<p>E. The purchase is part of a cooperative project between the State and the University of Maine System, the Maine Community College System, the Maine Maritime Academy, or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State involving:</p> <p>(1) An activity assisting a state agency and enhancing the ability of the university system, community college system, Maine Maritime Academy, or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State to fulfill its mission of teaching, research, and public service;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><i>If citing the above justification for this sole source request, please note that the specific approval of the Governor's Office is required, in accordance with Executive Order 26 FY 11/12, "An Order to Enhance Competitive Bidding". The approval must be documented on DAFS/BGS/Division of Procurement Services "GOVCOOP" form, found here: http://www.maine.gov/purchases/info/forms/govcoop.doc.</i></p>
	F. The procurement of goods or services involves expenditures of \$10,000 or less, in which case the Director of the Bureau of General Services may accept oral proposals or bids;
	G. The procurement of goods or services involves expenditures of \$10,000 or less, and procurement from a single source is the most economical, effective and appropriate means of fulfilling a demonstrated need.
	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:
Please note that the following four points below (#2 through 5) <u>all</u> require a response.	
	<p>2. Description of Specific Need</p> <p>Please identify, and fully describe, the specific problem, requirement, or need the resulting non-competitive contract would address and which makes the goods or services necessary. Explain how the requesting Department determined that the goods or services are critical and/or essential to agency responsibilities or operations.</p> <p>Under WIOA adult education programs are mandated to work with core partners to serve those with significant barriers in their pursuit of college and career pathways that led to jobs in high demand sectors and place them in jobs within those sectors that earn a self-sustaining, livable wage. One barrier to adult education participants (especially those 18-29) is a lack of digital literacy skills. The IC3 is an industry recognized credential under the Workforce Investment and Opportunity Act (WIOA) and provides adult education students with foundational digital literacy skills necessary for success in college and career.</p> <p>Adult education programs have been working with our workforce development partners to assess and train participants enrolled in the TechHire program. The IC3 exam will be required for participants enrolled in TechHire and Adult Education programs will serve to prepare and certify TechHire enrollments in the IC3 through an instructor led cohort model therefore increasing their chance of success in more advanced IT pathway credential training.</p> <p>Adult education programs will have a dedicated instructor who is certified in IC3 lead these courses.</p>

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3. Availability of other Public Resources

Please explain how the requesting Department concluded that sufficient staffing, resources, or expertise is not available within the State of Maine's government, or other governmental entities (local, other state, or federal agencies) external to the requesting Department, which would be able to address the identified need more efficiently and effectively than the identified vendor.

IC3 is one of only a handful of industry recognized credential that fits the WIOA definition.

4. Cost

Since a waiver of competitive bidding is being requested for this procurement, please explain how the requesting Department concluded the negotiated costs, fees, or rates are **fair and reasonable**.

Each of the two IC3 licensing bundle includes 1500 exams, unlimited practice exams and access to the LearnKey curriculum providing the possibility to credential 500 students per license. The cost per person without the bundle is \$305. To certify 500 people at the per person rate would cost approximately \$152,500 making this a fair and reasonable price.

5. Future Competition

Please describe potential opportunities which may be available to foster competition for these goods or services in the future.

As we hopefully expand the delivery of IC3 throughout the state we hope to leverage expansion for a better price.

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Please note that only one of the two points below ("Uniqueness" or "Timeframe") requires a response. Requesting Departments are not required to respond to both points.

6. Uniqueness

Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary data, also explain the necessity of these particular unique assets.

The IC3 is noted as one of two computer literacy certifications that validate end user skills and is listed as a foundational credential on the CompTIA IT certification roadmap. IC3 will be used as a training for TechHire participant who are at the beginning of their IT pathway and will help to clarify what area of IT they are interested in and provide them with the skills necessary to succeed in more advanced IT credential trainings such as CompTia

7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e. impact if delayed beyond this date). Also, provide information as to how it was determined this vendor is the best option to address this time-sensitive procurement.

Signature of requesting Department's
Commissioner or Chief Executive
(or designee within the
Commissioner's Office):

*By signing below, I signify that my Department requests,
and I approve of, this Waiver of Competitive Bidding.*

Printed Name:

Elaine Babb
Elaine Babb

Date:

1/15/20