

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:	Steve Lyons	Office/Division/Program of Contract Administrator:	DECD – Office of Tourism
Est. Contract Amount:	\$ 120,000	Contract or RQS Number:	CT2019030500000002520
Proposed Start Date:	April 1, 2019	Proposed End Date:	December 31, 2019
Vendor/Provider Name, City, State	Maine Woods Consortium C/O Androscoggin Valley Council of Governments, 125 Manley Road, Auburn , ME 04210		
Short Description of Good or Service:	Rural Tourism Destination Development Training		
<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>3/18/2019</u> To: <u>3/24/2019</u></p>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0320190323	
<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> <hr/> <p>Printed Name: _____ Date: _____</p>	
<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 products;		
<input type="checkbox"/>	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: (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; (2) A sharing of project responsibilities and, when appropriate, costs;		
	<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>		
<input type="checkbox"/>	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;		
<input type="checkbox"/>	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.		
<input type="checkbox"/>	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:		

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Please note that the following four points below (#2 through 5) all require a response.

2. Description of Specific Need

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.

Per Title 5, Chapter 383, §13090-C, "The Office of Tourism shall administer a program to support and expand the tourism industry and promote the state as a tourist destination." Additionally, the Office of Tourism can "Provide basic support and discretionary matching grants to local, regional and statewide nonprofit agencies that directly affect the achievement of the duties and responsibilities of the office."

In cooperation with the Maine Woods Consortium, the Office identified several areas that had existing tourism product and a willingness from community members to develop a tourism plan. Follow up conversations with these communities demonstrated that while they had an interest in pursuing a tourism plan, they lacked the basic organization skills to put forth an effective coordinated effort. With funding from the Office of Tourism and the Maine Woods Consortium, the Destination Academy was established. This enabled community members to participate in a group of professionally developed workshops and training sessions to advance the community's tourism development goals. Following a successful pilot program in Greenville, the Office of Tourism is interested in expanding this program and confident that it can benefit other destination areas.

Androscoggin Valley Council of Governments is acting as the fiscal agency for Maine Woods Consortium.

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.

Since 2010, the Maine Woods Consortium has been developing a network of tourism stakeholders to improve the economic conditions in rural communities across the Maine Woods region of the state. They have trained more than 300 tourism businesses and their employees and invested more than \$500,000 in tourism training, marketing and network capacity to improve economic conditions in rural communities within the region. It would take the Office of Tourism, or any other entity several years to establish these connections again, so this is a logical partnership.

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**.

Three-fourths of the cost associated with this project are pass-through expenses to pay professional contractors and facilitators to conduct the training programs. Costs are based upon standard industry rates for presenters with tourism-specific experience. The Maine Woods Consortium will continue to pursue matching funds to assist communities that have completed the training, to implement innovations in marketing, product development and facility enhancement.

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5. Future Competition

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

To date, the Maine Woods Consortium is the only organization that has had the resources to convene a network of tourism businesses covering the entire North Woods region of Maine. If another organization in this region of Maine that has a comprehensive network of tourism businesses, personal relationships and matching funds, we could conduct a competitive bid process.

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.

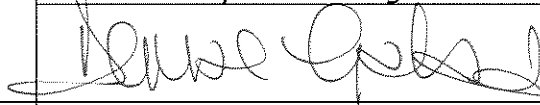
This program is unique because the Maine Woods Consortium has been working in the Maine Woods Region for several years and fully understands the challenges facing these areas. They have a comprehensive network of tourism and economic development organizations in the region that would be difficult to duplicate.

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:

Denise Garland

Date:

3-5-19