

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:	Carolann Ouellette	Office/Division/Program of Contract Administrator:	Office of Outdoor Recreation/DECD
Est. Contract Amount:	\$ 60,000.00	Contract or RQS Number:	20190325*2681
Proposed Start Date:	April 1, 2019	Proposed End Date:	June 30, 2020
Vendor/Provider Name, City, State	Maine Outdoor Brands, Portland, Maine		
Short Description of Good or Service:	Trade show representation and industry seminar organizer.		
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.		To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: 4/3/2019 To: 4/9/2019	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0420190416	
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.			
<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;		
	<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>	<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i> Signature:	
		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 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; <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>		
<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.

The Maine Office of Outdoor Recreation will focus on leveraging Maine's assets and outdoor recreation heritage to grow the outdoor recreation economy and build Maine's outdoor recreation brand as part of a coordinated effort with partners from the public and private sectors.

Two of the areas of responsibility of the Office of Outdoor Recreation Outdoor are:

- Strengthen and grow the outdoor recreation economy by developing strategies to create outdoor recreation employment, to enhance business growth and to coordinate with state economic development leaders to integrate the outdoor recreation industry into their efforts.
- Serve as a central point of contact for the outdoor recreation industry in Maine, monitoring emerging trends and issues that may potentially impact the outdoor recreation assets and experiences in the state.

One of the best ways to help Maine outdoor-focused private sector businesses grow, and find new companies and workers, is to exhibit at the largest B2B trade shows focused on the outdoors in the US. These shows are where relationships are forged, new products are launched, trends are outlined and leaders in the outdoor recreation sector convene.

Outdoor Retailer Summer Market is North America's largest tradeshow in the outdoor industry drawing attendees from around the world. Summer Market is all about face-to-face—it's where products are shown, orders are written, new accounts are found, connections are made and brands are launched. This show is about buying, sourcing, strategic meetings, trend, education and networking with decision makers, influencers, stakeholders, key buyers and athletes that influence the outdoor market.

Outdoor Retailer Snow Show is where the outdoor and snow industries come together, creating an unprecedented opportunity to reach influential buyers across all product segments. This is the place for brands to reach a larger, more diverse and valuable retail audience, as well as an enhanced media presence to carry their brand stories into the consumer marketplace.

Another effective method of providing outdoor-focused businesses and organizations with relevant information for business success is the development of a series of in-state, industry-led workshops featuring experts in their fields.

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.

The Office of Outdoor Recreation has a staff of one – the Director. Organization and execution of the Outdoor Retailer shows including reaching out to participating brands, working with OIA (show organizer) on logistics and media opportunities, designing the exhibits and staffing the booth are not possible without the assistance of the expertise and reach of the industry association representing outdoor brands and experiences, Maine Outdoor Brands.

Similarly facilitating a series of outdoor recreation business focused workshops, ensuring topic areas are relevant to outdoor-focused organizations is singularly not effective from this office alone – the desired outcomes and goals of these sessions will be much more substantive working in partnership with Maine Outdoor Brands.

There are experts in their fields across state agencies that will be tapped to present over the course of the series.

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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**.

There are several ways to assess the cost:

1. Much of the work outlined would require another staff person at the Office of Outdoor Recreation, so \$60,000 over the course of 15 months is a considerable savings.
2. Cost for just one of the Outdoor Retailer shows ranges from \$30,000-\$40,000 (winter show tends to be smaller investment than summer.)
3. Workshops/educational forums average about \$750-1000 each which includes room rental, audio visual, speaker fess (not always charged), and communications to businesses and organizations.

5. Future Competition

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

For the moment Maine Outdoor Brands truly is unique as an organization focused on the outdoor recreation economy in Maine. As the Outdoor Recreation sector continues to grow, this may change and a competitive bidding process would be primary.

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.

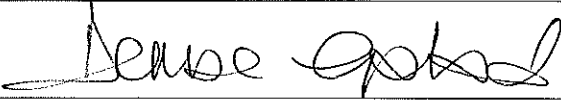
Founded in 2017, Maine Outdoor Brands (MOB) is a non-profit, member-led alliance of nearly 100 Maine-based outdoor product companies whose combined annual sales well exceed \$2B. MOB helps drive the success of its member brands through networking, knowledge sharing, professional development and collaborative marketing efforts. MOB is actively governed by an advisory board comprised of member brands and a board of directors known for their considerable outdoor industry and business development experience. With a unique understanding of Maine's outdoor eco-system, MOB represents private sector interests, with the ability to help promote the Maine brand and the outdoors overall.

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.

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The Summer Outdoor Retailer Show is June 18-20. Floor space has been reserved since the deadline has passed, but all the logistics, exhibit design, and business outreach are on hold until contract approval.

Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
	
Printed Name:	Denise Garland
Date:	3-26-19