

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:	Donna E. Grant Deputy Secretary of State	Office/Division/Program of Contract Administrator:	Secretary of State Office of Information Services
Est. Contract Amount:	\$ 28,000	Contract or RQS Number:	RQS29C2019030600000000966
Proposed Start Date:	01/01/2019	Proposed End Date:	01/01/2022
Vendor/Provider Name, City, State	Analogue Imaging, LLC N73 W23354 Fontaine circle Sussex, WI 53089		
Short Description of Good or Service:	Maintenance for Film Process & Archive Writer		
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 <i>Procurement Services</i> website: From: <u>4/5/2019</u> To: <u>4/11/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0420190423	
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-		

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competitive procurement, please provide that reference here:

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.

Since 2013, the Maine State Archives has been using the SMA 51 Archive Writer to convert digital data to analog data on standard microfilm. This process is a way to save essential data which is subject to long-term archiving requirements. The SMA 51 Archive Writer produces an analogue backup the Archives' digital files that is completely hardware, software and migration independent. The converting process is quick, reliable and provides excellent image quality.

In 2015, the Maine State Archives purchased the Unomat Film Processor to automatically process the microfilm negatives without the need of a darkroom. The Unomat Film Processor is an automatic processor which is environment friendly through efficient energy usage and low water consumption; and achieves processing to archival standards.

Both the Archive Writer and the Film Processor are vital to Archives' mission to preserve Maine's historical data and therefore need to be covered under an on-going maintenance contract.

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.

Analogue Imaging is uniquely qualified to meet the need for maintenance on both the Archive Writer and the Film Processor under one comprehensive contract. Analogue Images is familiar with both pieces of equipment as they were the supplier for both the Archive Writer and Microfilm Processor. Additionally, they understand the unique needs of Archival preservation. Analogue Imaging is also offering Information Services a substantial discount on the maintenance contract which would include both the Archive Writer and the Microfilm Processor. Therefore it is most efficient and cost effective to obtain maintenance for the Archive Writer and the Film Processor under one contract with Analogue Imaging.

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**.

Analogue Imaging is offering a 30% savings to Maine State Archives for the purchase three years of maintenance for both the Microfilm Processor and the Archive Writer under one comprehensive contract. In order to take advantage of this saving, Maine State Archives must purchase the 3 year maintenance at the start of the contract.

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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.

The Maine State Archives plans to include the replacement of the Microfilm Processor and the Archive Writer in the Fiscal Year budget for 2022-2023. At that time, Maine State Archives would participate in the competitive bidding process for replacement of the Microfilm Processor and the Archive Writer as well as the maintenance covering this equipment.

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.


Maine State Archives relies on both the Archive Writer and the Microfilm Processor on a daily basis. It is critical that both pieces of equipment be covered under a maintenance agreement. The requested three year maintenance contract will provide coverage for this vital equipment until the scheduled replacement timeframe of FY 22/23.

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:

Donna E. Grant, Deputy Secretary of State

Date:

March 12, 2019