

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:	Travis Doughty	Office/Division/Program of Contract Administrator:	DOE/ESEA/21 st CCLC															
Est. Contract Amount:	\$ 9,900.00	Contract or RQS Number:	20190327000000002714															
Proposed Start Date:	May 1, 2019	Proposed End Date:	June 1, 2019															
Vendor/Provider Name, City, State	Vision Training Associates 1 Granite Drive Standish, ME 04084																	
Short Description of Good or Service:	Two-day Professional Development Training for Afterschool Program Providers																	
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: <u>4/18/2019</u> To: <u>4/24/2019</u>																
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0420190476																
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.																		
<table border="0" style="width: 100%;"> <tr> <td style="width: 5%;"></td> <td style="width: 85%;">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;</td> <td style="width: 10%;"></td> </tr> <tr> <td></td> <td>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;</td> <td></td> </tr> <tr> <td></td> <td style="font-size: small;"> <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> </td> <td style="font-size: small;"> <i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i> </td> </tr> <tr> <td></td> <td>Signature:</td> <td></td> </tr> <tr> <td></td> <td>Printed Name:</td> <td>Date:</td> </tr> </table>					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;			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:
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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;																		
D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;																		
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: <ol style="list-style-type: none"> (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>																		
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;																		

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X	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) 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.

Maine currently receives federal funding for the 21st Century Community Learning Centers (21st CCLC) program under Title IV, Part B of the Elementary and Secondary Education Act (ESEA). This program provides funding to support before, after, and summer school learning programs for students in Pre-K through grade 12. Currently, students from 55 different schools across the state are receiving services under this competitive grant program.

As a requirement of continued funding from the U.S. Department of Education, State Education Agencies (SEAs) must ensure that recipients of 21st CCLC funds are provided with the technical assistance and training necessary for the effective implementation of before school, after school, and summer educational programs. Though the Maine DOE does provide semi-annual trainings for the 21st CCLC program, it currently lacks the capacity to offer a comprehensive summer institute for current program providers. The time and monetary resources that would be required to develop and host a comparable event through the Department would be substantial. Such work would be cost prohibitive as it would require additional staffing in order to complete the associated tasks.

This contract is for discounted registration slots for up to 110 individuals from Maine’s 21st CCLC program to attend the Positive Youth Development (PYDI) Conference on May 23-24, 2019, in Augusta, ME. This contract will support the Maine DOE’s obligation to ensure that 21st CCLC programs receive adequate technical support and training in addressing challenges across both the afterschool and youth development fields. In addition, this contract will provide 21st CCLC programs across the state with the opportunity to learn of new and innovative ways to support students and youth during out-of-school time from industry leaders both at the state and national levels.

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.

There are currently insufficient resources available through the Department to provide a statewide summer institute that supports 21st CCLC program providers. The cost to obtain additional state resources (i.e. personnel) and services (i.e. venue and expert presenters) that coincide with planning and hosting such an event would far exceed the proposed cost of \$9,900.00. Providing current 21st CCLC grantees with the opportunity to attend this event will help further support them in their role of implementing quality before, after, and summer school learning programs that support Maine youth. For a moderate cost, Maine’s 21st CCLC program providers will benefit from high-quality technical support and training developed by state and national experts in out-of-school time learning and youth development.

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**.

The cost to hire additional Department staff to help plan, develop, coordinate, and host such an event as well as the costs associated with securing a training venue and contracting with state and national presenters would far exceed the proposed cost of \$9,900.00. Additionally, the Department is receiving a moderate discount on the cost of each program’s registration fee. Instead of the standard \$125 registration fee, the Department is only being charge \$90.00 per registration. This is a savings of \$35.00 per registration or roughly \$4,000.

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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 training services Maine's 21st CCLC grantees will receive through this contract are comprehensive in nature and approach things with both statewide and national lenses, with national experts presenting on emerging trends and topics. This is all provided at a modest cost to the Department. Future opportunities to foster competition for these services would require an increase in funding and capacity within the Maine DOE and for additional, comparable opportunity to become available within the state.

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.

Vision Training Associates, in partnership with the Maine Afterschool Network (MASN), is hosting this event. The MASN is unique in that it works in conjunction with a large, national network of out-of-school time program providers and national experts. They are also currently, in partnership with Vision Training Associates, the only provider in Maine which offers a summer institute dedicated to positive youth development through out-of-school time programs. There is currently no other training taking place in Maine this summer which would have the same level of impact for all of Maine's current 21st CCLC grant programs.

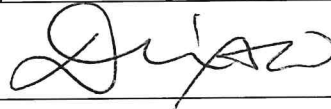
7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

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.

N/A

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:

Daniel A. Chubhte

Date:

3 Apr 2019