

# 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.

<b>Requesting Department's Contract Administrator:</b>	Donna E. Grant, Deputy Secretary of State	<b>Office/Division/Program of Contract Administrator:</b>	Office of Information Services, The Department of Secretary of State
<b>Est. Contract Amount:</b>	\$18,270.72	<b>Contract or RQS Number:</b>	RQS29B2019042500000001131
<b>Proposed Start Date:</b>	07/01/2019	<b>Proposed End Date:</b>	06/30/2020
<b>Vendor/Provider Name, City, State</b>	Unlimited Technology Associates 151 Water Street Augusta, ME 04330		
<b>Short Description of Good or Service:</b>	Cleaning and General Light Maintenance for 28 Kodak scanners. (6 i-4650 scanners, 1 i-4600 scanner and 21 i-3400 scanners)		
<b>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.</b>		<b>To be completed by the Division of Procurement Services</b> Posting dates on Division of <i>Procurement Services</i> website: From: <u>04/30/19</u> To: <u>05/06/19</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0420190536	
<b>1. Statutory Justification</b> 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> <b>Signature:</b>	
		<b>Printed Name:</b>	<b>Date:</b>
<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: <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>.</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.

This RQS is for cleaning and general maintenance for 28 Kodak scanners located at three locations in the Augusta area. Twenty-three units are located at BMV, 101 Hospital Street, Augusta. Two units are located at Central Archives, 230 State Street, Augusta. Three units are located at the BABLO building, 10 Water Street, Hallowell. Due to the extremely high usage of these scanners at all locations, the scanners require frequent cleaning. Eleven of the Kodak scanners require cleaning every other week. These eleven scanners include five i-4650 scanners, one i-4600 scanner and five i-3400 scanners. Seventeen of the Kodak scanners require monthly cleaning. These seventeen scanners include one i-4650 scanner and sixteen i-3400 scanners. Because of the high volume of material being processed and the frequency of the cleaning as well as any unexpected general maintenance that may arise, these services are essential. The end user prefers that the vendor be within a very close proximity so that service can be rendered very quickly. If any of these scanners are down, even for a short time, the level of productivity would be impacted greatly. This service is essential to the Department of the Secretary of State because the use of these scanners is mandatory to reduce the amount of hard materials being stored. Storing this material digitally opens up space for better use and also provides a more robust system for locating any particular material.

## 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 is no staff within the local government, state agencies or federal agencies that provides or can provide the requested services. The services requested are of a technical nature.

## 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**.

A formal bid was requested for this service one year ago. Technologies Unlimited was the lowest bid by \$2,000. The cost for this maintenance and cleaning service is not increasing.

## 5. Future Competition

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

In due time a similar bid will be requested providing any potential providers the opportunity to bid.

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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.

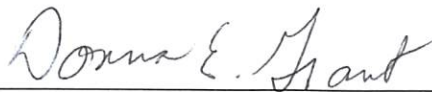
Unlimited Technologies has been performing this service for the past year and is familiar with all equipment and procedures. Further, their availability and proximity are unique. Often in an emergency, services are required immediately or at the very least within an hour. Having trained service providers in such close proximity is like having someone on staff available to perform the service. Without these unique qualities the productivity of the scanning units would be dramatically affected.

**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 for Information Services

**Date:**

April 26, 2019