

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:	Karen Carberry Warhola	Office/Division/Program of Contract Administrator:	DECD/Tourism/Film
Est. Contract Amount:	\$ 11,940.00	Contract or RQS Number:	19A 20190513*1230
Proposed Start Date:	July 1, 2019	Proposed End Date:	June 30, 2020
Vendor/Provider Name, City, State:		Reel-Scout, 1900 Abbott St., Suite 100, Charlotte, NC 28203	
Short Description of Good or Service:		Annual Hosting, Maintenance, and Client/Technical Support for Production Guide and Locations Library on MFO Website	
<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>05/16/19</u> To: <u>05/22/19</u></p>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190652	
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;		

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	<p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;</p>
	<p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <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>
	<p>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;</p>
	<p>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.</p>
	<p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p>
<p>Please note that the following four points below (#2 through 5) <u>all</u> require a response.</p>	
<p>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.</p>	
<p>(THE MAINE FILM OFFICE IS A DIVISION WITHIN THE OFFICE OF TOURISM)</p> <p>The Maine Film Office Website is an important marketing tool for MFO, and the website's databases are critical to the success of this marketing effort. The databases contain listings from Maine businesses, communities and residents, as well as photos of Maine communities and properties that can be used as filming locations. The databases are used by productions to find employees so they can hire locally; to locate businesses that supply the goods and services needed by productions so they can source goods and services locally; and to find filming locations in Maine so they can choose Maine as a filming location. Having these resources available locally is crucial to the recruitment of production companies considering doing business in Maine. The databases are also used to track productions, and to gather and sort analytical information necessary for required annual reporting</p>	

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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.

Productions contact our office requesting information about locations that are available for filming; about businesses that have goods and services needed by the production; and about Maine residents who are qualified to fill the positions that the production needs to hire. Since productions also work and film nights and week-ends, any staff or vendor support needs to be available 24/7/365 and a quick and timely response to these inquires is necessary. This vendor, which provides services specific to the film and media industry, provides the needed support on a timely basis and guarantees a rapid response time.

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 fee is the standard rate throughout the country for these specific databases that save the film office on staff time and costs by compiling information and completing tasks that would otherwise need to be performed manually at a much higher cost in employee labor. The savings in employee labor costs adds to the fair and reasonable nature of the vendor fee.

5. Future Competition

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

We continue to evaluate services as they become available. Currently, Reel-Scout designs and maintains the deepest and most content-rich databases available, which are considered industry standard by film offices throughout the country, and is the only vendor that provides this service.

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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.

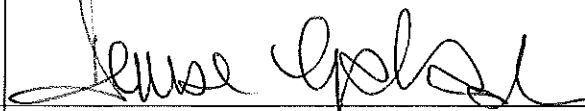
Reel-Scout designed, built and services the databases, which are considered industry standard throughout the world. This vendor is uniquely qualified to service the online databases, which were designed by this vendor to perform specific functions unique to the film and media industry. The Locations Library is also available globally on this vendor’s platform, LocationsHub, which allows Maine location photos to be found by productions from around the world who are looking for a specific type of location (not a specific geographic location) – widening the reach of our marketing effort beyond productions that visit our website looking for locations in Maine. This expanded marketing platform is currently not offered by any other vendor and is a valuable feature that is important to the marketing campaign.

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:

5-13-19