

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:	Gary Best	Office/Division/Program of Contract Administrator:	State Parks Southern Region / Popham Beach State Park / Bureau of Parks and Lands
Est. Contract Amount:	\$7,500.00	Contract or RQS Number:	20190513*3383
Proposed Start Date:	May 20, 2019	Proposed End Date:	May 12, 2020
Vendor/Provider Name, City, State	Police Department, Town of Phippsburg, Phippsburg, Maine		
Short Description of Good or Service:	The Phippsburg Police department, town of Phippsburg, ME shall provide traffic control services on Route 209 in Phippsburg surrounding Popham Beach State Park, Fort Popham State Historic Site and Fort Baldwin State Historic Site on busy days during high public use times to ensure public safety.		
Please note, for transparency purposes, Waivers of Competitive Bidding will be publicly posted. Public postings are placed on the Division of Purchases' website for a period of seven consecutive calendar days.		To be completed by the Division of Purchases	
		Posting dates on Division of Purchases' website: From: <u>5/21/2019</u> To: <u>5/27/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190684	
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.			
	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:
	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: (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 Purchases "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;		
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.		

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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) <u>all</u> 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.	
<p>Popham Beach State Park is the busiest day use park in the Maine State Park system. In 2018 there were nearly 180,000 visitors to this park. Public safety is of the utmost concern at Maine State Parks. The traffic coming into this park on busy days gets backed up on Route 209. It is essential to have traffic control on Rt. 209 during these busy days. Phippsburg Police is able to hire a seasonal traffic control officer that directs traffic on Rt. 209.</p>	
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.	
<p>Popham Beach State Park does not have the staff nor do the staff have the training or authority to direct traffic on Rt. 209.</p>	
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 .	
<p>The Bureau of Parks and Lands negotiated a price with the town of Phippsburg for this service.</p>	
5. Future Competition Please describe potential opportunities which may be available to foster competition for these goods or services in the future.	
<p>This service is best conducted by law enforcement. It is most cost effective to use the local law enforcement for this service to reduce travel time and expenses by the contractor.</p>	
Please note that <u>only one</u> of the two points below ("Uniqueness" or "Timeframe") requires a response. Requesting Departments are not required to respond to both points.	

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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.

Phippsburg Police Department receives the appropriate training to perform traffic control and direct traffic on public roads. They also have the authority to issue tickets for traffic and parking violations that occur on Route 209 (outside of the state park).

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.

This is an essential service that is critical to have in place for the busy summer season at Popham Beach State Park.

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.

Randy Charrette
Randy Charrette
 5/16/19

Printed Name:

Date:

RRH
5-15-2019