

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:	Steve Lyons	Office/Division/Program of Contract Administrator:	DECD – Office of Tourism
Est. Contract Amount:	\$942,900 current \$ 24,000 amendment \$966,900 New CT amount	Contract or RQS Number:	CT20161121*1673
Proposed Start Date:	January 1, 2017	Proposed End Date:	May 31, 2019
Vendor/Provider Name, City, State	DRI – Digital Research Inc. 172 Commercial Street, 2 nd Floor, Portland, ME 04101		
Short Description of Good or Service:	Marketing Research		

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: 5/28/2019 To: 6/3/2019

Notice of Intent to Waive Competitive Bidding Number: NOI# 0520190759

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;		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 35%;"><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="width: 65%;"> <p><i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i></p> <p>Signature:</p> <p>Printed Name: _____ Date: _____</p> </td> </tr> </table>	<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>	<p><i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i></p> <p>Signature:</p> <p>Printed Name: _____ Date: _____</p>
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X	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; <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>		
	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;		
	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) 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.

The project outlined below is an extension of research already being conducted by this vendor. Digital Research, Inc, currently has a contract to conduct an annual visitor profile study, track levels of tourist activity and trip characteristics in Maine and conduct a cruise passenger study. This data informs MOT marketing decisions and supports targeted outreach for best use of tourism marketing funds.

Additional research analysis and reporting is necessary to provide more detail to CruiseMaine stakeholders around economic impact; Additional analysis was necessary to report on total visitation vs. tourism-related visitation and provide more comprehensive final reports for the month of April.

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.

The State does not have staff to conduct an in-depth tourism research project or the expertise to analyze the data being collected.

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**.

Costs are in line with other projects the vendor has conducted for the Office.

5. Future Competition

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

RFP's can be conducted for research projects not already using existing data. However, DPA already has related data that will allow integration of the new research into MOT's overall marketing strategy, without duplicative efforts.

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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.

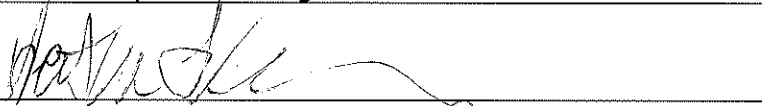
Digital Research, Inc., currently has the contract to conduct Visitor Profiling Research, Economic Impact Research and a Cruise Passenger study for the Office of Tourism. For the past 8 years Digital Research has been the Office of Tourism research vendor. They have in-depth data on all aspects of Maine tourism research that has been collected using the same methodology during this time period. This amendment is using the consistent base-level data to conduct additional analysis.

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.



Heather Johnson, Commissioner

Printed Name:

Date: