

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:	Tonia Ennis	Office/Division/Program of Contract Administrator:	DAFS/OIT
Est. Contract Amount:	\$ 677,404	Contract or RQS Number:	18F
Proposed Start Date:	5/13/19	Proposed End Date:	5/14/20
Vendor/Provider Name, City, State	Kainos WorkSmart, 4 th floor, 470 Atlantic Avenue, Boston, MA 02210		
Short Description of Good or Service:	Sole source need for a SaaS Test Automation Product and implementation services for the Workday Maine project.		
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 <i>Procurement Services</i> website: From: <u>05/30/2019</u> To: <u>06/05/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190777	
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;		
<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: http://www.maine.gov/purchases/info/forms/govcoop.doc.</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-competitive procurement, please provide that reference here:		

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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 state of Maine is implementing Workday for the state's HRMS system. Workday is a SaaS solution that is automatically upgraded every six months and patched weekly. Each upgrade requires testing of all business processes that are configured in the system, for as long as the tool is in production. The implementation project requires services of an automated testing solution for end to end testing. Testing is required as part of each remaining phase of the project (Configure & Prototype, Test and Deploy).

The State of Maine requires an automated testing tool to be implemented for:

End-to end testing prior to implementation
All production upgrades and weekly patching
All business process workflows

This tool must:

Be updated and tested to work with new Workday releases prior to the release of Workday upgrades to the public
Have an automation testing framework that is 100% maintained and updated by software provider

The software provider must be a certified Workday Select Partner.

The software must be implemented by July 15, 2019 and be ready for end to end testing.

Test cases must be written and coded by vendor for testing of HCM, payroll, security, configuration and reports/integrations.

Vendor must have certified Workday consultants providing implementation services.

Kainos WorkSmart offers both project implementation testing services as well as production testing. Kainos is the only Workday Select Partner. This certification level allows Kainos to have direct access to the Workday QA environments and Workday developers, enabling Kainos to test and update Smart to work with the latest versions of Workday, before Workday releases them to their customers. This allows Kainos to ensure Smart is always up-to-date with all versions of Workday.

It is critical this agreement is in place prior to June 1st to ensure the testing can be completed within the project plan timelines. Otherwise any delays will significantly delay the Workday project. The automation tool reduces testing time and effort both during the project implementation and throughout production.

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 of Maine lacks the specialized skillset needed to complete this assignment. In addition, this work requires an automation tool that the state does not currently own. The use of an automation tool will reduce manual testing effort by 90%.

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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 automation testing implementation onboarding and advisory cost is \$157,654.
The Gold three-year total subscription cost is \$519,750 (annual subscription cost is \$173,250).
Total is \$677,404

In comparison, several other automation testing tools were priced ranging from \$6,500-\$12,000 per license. The project team would require a minimum of nine licenses totaling, \$58,500-\$108,000. Additionally, the services of managing the automation framework and test case management would require a minimum of two technical staff totaling approximately \$395,200. For us to implement a service comparable to the Kainos Gold Services subscription, we estimate that we would pay a minimum of \$453,700 per year, or \$1.36 million over three years.

5. Future Competition

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

Department does not anticipate the needs for any additional agreements, but if so will issue a competitive procurement for services.

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.

Kainos is uniquely qualified to provide the state of Maine a testing automation tool.

- Kainos Smart is the only Workday specific testing solution
- Kainos has a unique partnership with Workday that gives access to the Workday QA environments, enabling Kainos to test and update Smart to work with the latest versions of Workday, before Workday releases them to their customers. This allows Kainos to ensure Smart is always up-to-date with all versions of Workday
- The Smart automation framework is 100% maintained by Kainos to be in line with Workday, there is no effort required by the state of Maine when Workday pushes their weekly changes. (Workday does not offer support for third party automation tools so this maintenance by Kainos to be in line with Workday eliminates significant maintenance by the state of Maine required with tools that do not offer this maintenance within their solution.)
- They are the only Workday Select Partner for automation testing.
- Kainos implementers are Workday certified consultants.
- They have 1000s of configuration tests, Workday screenshots of test failures, security testing, sequenced BP testing, posting rules testing, and detailed audit evidence.
- The Kainos Smart Gold Service includes a weekly Triage report on any issues found, created by Kainos Workday Certified experts.

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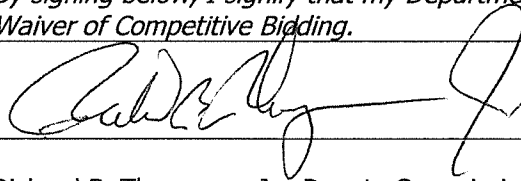
7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

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.

Not applicable

**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:

Richard B. Thompson, Jr., Deputy Commissioner of Operations

Date:

5/28/19