

**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:	Donna Tiner	Office/Division/Program of Contract Administrator:	Education - Learning Systems - CTE
Est. Contract Amount:	\$ 1,000,000	Contract or RQS Number:	20190523*3538 – Bangor 20190523*0558- Ellsworth 20190523*0557 – Farmington 20190523*0560 – Houlton 20190523*0559 – Lewiston 20190523*0561 - Skowhegan 20190523*3570 – Presque Isle
Proposed Start Date:	6/1/2019	Proposed End Date:	6/30/20 19
Vendor/Provider Name, City, State:	<p>Secondary Career and Technical Education Centers and Regions (7 of the 27 have applied for funds)</p> <p>Bangor United Technologies Center Director Greg Miller 200 Hogan Rd Bangor ME 04401</p> <p>Ellsworth Hancock County Technical Center Director Amy Boles 112 Boggy Brook Rd Ellsworth ME 04605</p> <p>Farmington Foster Technology Center Director Melissa Williams 173 Seamon Rd Farmington ME 04938</p>		

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Houlton
Southern Aroostook County
Director Dave Keaton
Box 307
Houlton ME 04730

Lewiston
Lewiston Regional Technical Center
Director Rob Callahan
156 East Avenue
Lewiston ME 04240

Presque Isle
Presque Isle Regional Technology Center
Director Tim Prescott
79 Blake St, Suite 3
Presque Isle ME 04769

Skowhegan
Somerset Career and Technical Center
Director David Dorr
61 Academy Circle
Skowhegan ME 04976

Short Description of Good or Service:

Grant for CTE early college opportunities.

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: 6/05/2019 To: 06/11/2019

Notice of Intent to Waive Competitive Bidding Number:

NOI# 0620190841

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;

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<p><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>	<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>				
	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">Printed Name:</td> <td style="width: 40%; border: none;">Date:</td> </tr> <tr> <td style="border: none; height: 40px;"></td> <td style="border: none; height: 40px;"></td> </tr> </table>	Printed Name:	Date:		
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;

*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>.*

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.

X	<p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p>	<p>All parties that were willing and qualified based on Maine Public Law 213, chapter 318 received funding. Awards were not competitive.</p>
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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.

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The purpose of this grant is to provide Career and Technical Education (CTE) High Schools the opportunity to implement an Early College Program that meets the criteria of Public Law 213, chapter 318. CTE's will have the opportunity to apply for an Implementation Grant based on the number of agreed upon and defined early college cohorts a CTE school will be operating during the 19/20 academic year. The number of grants awarded will ultimately determine the amounts of the individual grants. All CTE school that submit a grant in approvable format will receive funding.

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.

Maine Public Law 213, chapter 318 requires these funds to be distributed to Maine secondary CTE centers and regions.

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 Maine Department of Education (DOE) may only grant an amount that has been set by the State's biennial budget. The application review by CTE team members of the DOE determine what associated costs will be fair, reasonable, and justifiable.

5. Future Competition

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

Opportunities to foster competition for these goods and services in the future will be contingent on meeting the requirements of Maine Public Law 213, chapter 318. These funds will be dispersed to entities in accordance to the law. Competition will only be required at a time when resources are less the application need.

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.

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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.

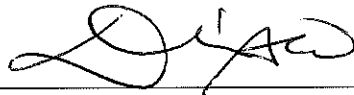
Per Maine Public Law 213, chapter 318 only Maine's 27 secondary Career and Technical Education Centers and Regions are eligible to submit an application for early college grant funds.

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:

David A. Clurkin

Date:

28 May 2019

