


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:	Cathy Severance	Office/Division/Program of Contract Administrator:	DOE-Education In The Unorg Territories
Est. Contract Amount:	\$ 47,230.63	Contract or RQS Number:	CT05C20190417*2998
Proposed Start Date:	05/01/19	Proposed End Date:	09/30/19
Vendor/Provider Name, City, State:	Northeast Technologies 142 Moosehead Trail, Newport, ME 04953 (207) 907-9192		
Short Description of Good or Service:	Installation of new Wireless Network Equipment for the (3) EUT operated schools: Connor Consolidated, Edmunds Consolidated & Kingman Elementary.		
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: <u>06/07/2019</u> To: <u>06/13/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0620190877		
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;		
<input checked="" type="checkbox"/>	<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: Pender Makin - DOE	
		Printed Name: 	Date: 6/6/19

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	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 Procurement Services "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;
	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.
	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 EUT operated schools are in need of updating their existing network connections in order to be compatible with existing Meraki cloud-based dashboards. There is a reimbursement program grant available on a timeline that would reimburse the EUT for approximately 70% of the costs associated with the installation. The installation of the equipment needs to happen in June-July 2019 while the schools are closed for summer break. The Federal program required that a selection process to acquire vendors start at that level as part of the program approval process. There were 2 out of 3 Vendors willing and qualified to quote for the entire project which included installation within the required timeframe. The least costly of the 2 submissions was the one chosen.

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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.

The State of Maine nor the EUT has anyone on staff that is qualified, willing and able to perform the needed infrastructure upgrades. Therefore, a vendor selection process was used in order to identify an appropriate vendor.

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**.

Since the process used was very similar to the State RFP process, there was also a similar weighted scoring rubric used in order to determine the most appropriate vendor for the project.

5. Future Competition

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

This is a one-time only infrastructure upgrade.

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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.

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

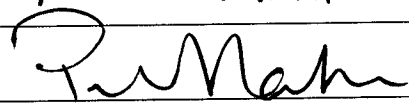
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e. 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 technology upgrade needs to take place in June/July 2019 while the schools are closed for summer break. The next opportunity would not be until Spring of 2020 and requalification of the program would have to take place. This would cause the EUT to lose their qualification for the Federal E-Rate reimbursement program in 2019. This program qualification, which began in January 2019, will provide approximately 70% or up to \$30,000 reimbursement of the technology upgrade costs for the (3) three EUT schools.

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.

Pender Makin - DOE



Printed Name:

Date:

6/6/19