

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:	Kate Foye	Office/Division/Program of Contract Administrator:	Department of Economic & Community Development				
Est. Contract Amount:	\$ 40,000	Contract or RQS Number:	20190507*3292				
Proposed Start Date:	July 1, 2019	Proposed End Date:	June 30, 2020				
Vendor/Provider Name, City, State:		Greater Fort Kent Chamber of Commerce (on behalf of the Core Leadership Team of Acadia Lands & Forests) PO Box 430 Fort Kent, ME 04333-0059					
Short Description of Good or Service:		Stimulate and facilitate regional cooperation to ensure sustainable economic development through specific projects connecting businesses and communities.					
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>6/15/2019</u> To: <u>6/21/2019</u>					
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620190995					
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.							
<table style="width: 100%; border: none;"> <tr> <td style="width: 5%; border: none;"></td> <td style="width: 95%; border: none;">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;</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;">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;</td> </tr> </table>					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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	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")</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:				

**State of Maine
Waiver of Competitive Bidding Request Form**

	<i>sign and date on the right.</i>	
✓	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 specific need is to be a partner in the coordination of cross-border collaboration between community and business leaders, through the Core Leadership Team (CLT), to grow the economy of the region of Acadia Lands & Forests, but specifically for Maine, the greater St. John Valley. The CLT is working on projects specifically addressing quality of life and economic vitality focusing on long-term sustainable economic development.

The CLT is leading projects that cut across traditional economic development and natural resource agency work, hence they are filling a gap in the region through their innovative approach to identifying and addressing economic and resource issues.

**State of Maine
Waiver of Competitive Bidding Request Form**

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.

Currently there is only one person, the Canada Ombudsman, who is at DECD and focused on cross-border initiatives. The Core Leadership Team director needs to live in the area to successfully manage and implement the projects being funded. Businesses, residents and municipal leaders on both sides of the border, inside the Acadia Lands & Forests region, need to have regular direct contact to build a relationship with this person so they can actively engage and benefit from the project work.

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 costs this contract are covering are only a portion of each of the proposed project, and in recognition that there is local match, the fees are fair and reasonable. Looking just at the Prime Manufacturer's Event at \$3500 and comparing that to events that have been organized by the department in the past, we know that the cost for this is extremely competitive.

5. Future Competition

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

There may be a possible opportunity for future competition depending upon the future strategic direction taken by traditional economic development entities in the broader region.

**State of Maine
Waiver of Competitive Bidding Request Form**

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.

The Core Leadership Team of the Acadia Lands & Forests was an initiative that developed as a direct result of the Congres Mondiale de l’Acadie (CMA) hosted in the St. John Valley of Maine, Quebec & New Brunswick in 2014. The CLT brings together up to one hundred people who promote discussions and boost cross-border economic development in the region. This diverse cross-border team is quite unique as it is a united group of business people, elected municipal officials and economic development leaders looking beyond “the border”, strategically and innovatively, to grow the shared economy, built on a shared culture, of the broader Acadia region.

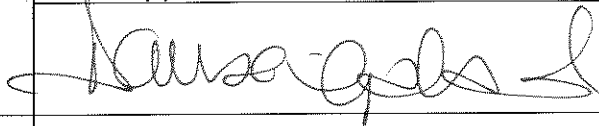
7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

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.

Some matching funds and other commitments are available now, and the Prime Manufacturing Event timeline is close at-hand and the Project of the Lakes work is in the summer, so a fiscal year start is critical to continuing to move projects and programs forward according to schedule.

**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:

Denise Garland

Date:

6-15-19