

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:	Micki Mullen	Office/Division/Program of Contract Administrator:	DECD – Maine Office of Tourism
Est. Contract Amount:	\$ 13,950.00	Contract or RQS Number:	20190613000000003844
Proposed Start Date:	July 10, 2019	Proposed End Date:	December 31, 2019
Vendor/Provider Name, City, State:	Maine Skiing Inc. d/b/a Maine Ski Association, PO Box 7566, Portland, ME 04112		
Short Description of Good or Service:	Maine tourism booth space and representation at Boston.com Ski & Snowboard Exposition		
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>6/24/2019</u> To: <u>6/30/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0620191057		
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;			
<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:
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;			

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	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.	
X	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	Title 5 MRS, Chapter 383, §13090-C, 2-E

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 Office of Tourism was established to administer a program to support and expand the tourism industry and promote the State as a tourist destination per Title 5, Chapter 383, §13090-C. This statute provides for "basic support and discretionary matching grants to local, regional and statewide nonprofit agencies that directly affect the achievement of the duties and responsibilities of the office."

The Maine Office of Tourism's 5-year strategic plan has identified growing off-season visitation as a strategic imperative, to be achieved in part with enhanced marketing efforts that focus off-season strategies on specific traveler segments. Maine's participation at targeted travel shows is an element of the MOT's integrated marketing plan. Maine's participation in the Boston.com Ski & Snowboard Expo will help build interest in our winter ski destinations and promote visitation to Maine during the winter months.

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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 Boston.com Ski & Snowboard Expo is an opportunity to reach a high value travel segment in a key market. Partnering with the Ski Maine Association through supporting their participation at the Boston.com Ski & Snowboard Expo will ensure we provide the most expert and compelling representation for Maine's ski industry from booth staff that have broad knowledge and a passion for the sport.

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**.

Partnering with the Ski Maine Association by supporting their participation at the Boston.com Ski & Snowboard Expo is a labor and cost-efficient way to build interest in Maine as a winter destination and our ski industry. Ski Maine will cover the expenses for booth planning, staffing and transportation of literature.

The cost of participating in the Boston.com Ski & Snowboard Expo is in line with other travel shows of this size.

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 discretionary matching grant per Title 5, Chapter 383, §13090-C, 2-E.

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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.

The Ski Maine Association is a state-wide membership association promoting the interests of Maine’s Alpine and Nordic ski centers and is the acknowledged representative of the ski industry in Maine. As such, they offer the greatest expertise, and can provide the most complete statewide information about Maine’s Alpine and Nordic ski centers and resorts.

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:

Heather Johnson, Commissioner or
Denise Garland, Deputy Commissioner

Date:

6-24-19