

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:	Amanda Shearin	Office/Division/Program of Contract Administrator:	Maine Department of Inland Fisheries and Wildlife, Bureau of Resource Management
Est. Contract Amount:	\$ 150,560	Contract or RQS Number:	09A-20190621000000 003916
Proposed Start Date:	03/01/2018	Proposed End Date:	2/28/2023
Vendor/Provider Name, City, State:		Wildlife Management Institute 4426 VT Route 215N Cabot, VT 05647	
Short Description of Good or Service:		Participation in the Northeast Wildlife Teamwork Strategy, Regional Conservation Needs 2.0	
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>6/24/2019</u> To: <u>6/30/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620191061	
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 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:	
<input type="checkbox"/>	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;		

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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.
	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 Maine Department of Inland Fisheries and Wildlife (MDIFW) receives annual funding from the U.S. Fish and Wildlife Service (USFWS) through the State Wildlife Grant (SWG) to implement conservation initiatives for sensitive fish and wildlife species. All states in the northeastern U.S. (USFWS Region 5) are required to dedicate 4% of their annual SWG funding to the Northeast Wildlife Teamwork Strategy (NWTs). This strategy is a collaborative effort among states in the northeast and the USFWS to address large-scale, multi-state conservation issues. The specific projects that are undertaken through this program are jointly identified by representatives from each state. The Wildlife Management Institute (WMI) has been selected by the USFWS and the states in Region 5 as the contractor to coordinate the regional conservation programs that are identified through the NWTs. Therefore, MDIFW is obligated to provide a portion of its annual allotment of SWG funding to WMI in support of regional conservation initiatives.

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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 work funded by this contract is a joint initiative by 14 states in the northeast. Neither MDIFW or other agencies within state government have the capacity or expertise to conduct these large-scale conservation initiatives. The USFWS, in collaboration with the states in the northeast region, have previously identified Wildlife Management Institute as the most appropriate contractor to carry out this 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**.

The work funded by this contract is a joint initiative by 14 states in the northeast. Neither MDIFW or other agencies within state government have the capacity or expertise to conduct these large-scale conservation initiatives. The USFWS, in collaboration with the states in the northeast region, have previously identified Wildlife Management Institute as the most appropriate contractor to carry out this work.

5. Future Competition

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

If additional vendors become available that can provide the services required for the implementation of the NWTS, MDIFW, in partnership with other states in the Northeast, will explore avenues to foster competition.

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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.

Wildlife Management Institute is the only vendor that has been selected by the USFWS and other states on the Northeast to implement this project. For over a century, WMI has been collaborating with the USFWS and state fish and wildlife agencies to implement large-scale conservation initiatives. They have served as the delivery vehicle for the Northeast Wildlife Teamwork Strategy since 2008.

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:

Judith L. Camuso

Date:

6/24/19