

This document is to serve as acknowledgement of all following WCB documents being posted as one NOI, which is NOI 0720191163 to be posted July 8, 2019 through July 14, 2019. There are multiple contracts to various law enforcement agencies and varying amounts.

**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.

| | | | |
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| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 91,300.00 | Contract or RQS Number: | CT 20190701 * 0042 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Waterville Police Department 10 Colby St., Waterville, ME 04901 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| 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; | | |
| | D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum | | |

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> require a response. | | |
| <p>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.</p> | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

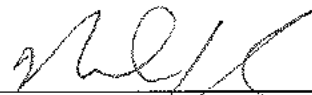
The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-27-19

**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.

| | | | |
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| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$90,500.00 | Contract or RQS Number: | CT20190701 * 0029 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Kennebunk Police Department 4 Summer Street, Kennebunk, ME 04043-6642 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| <p>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.</p> | | <p>To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| <p>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;</p> | | | |
| <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |
| <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | | |

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| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | <p>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;</p> | |
| | <p>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.</p> | |
| X | <p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p> | <p>25 M.R.S.A., chapter 353</p> |
| <p>Please note that the following four points below (#2 through 5) <u>all</u> require a response.</p> | | |
| <p>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.</p> | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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

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| | | | |
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| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 93,000.00 | Contract or RQS Number: | CT 20190701 * 0039 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Somerset County Sheriff's Office 131 East Madison Road, Madison, ME 04950 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
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| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| 1. Statutory Justification | | | |
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| <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; | | | |
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| | | Printed Name: | Date: |
| <input 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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| | products; | |
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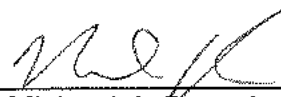
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Printed Name:

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| Est. Contract Amount: | \$ 89,500.00 | Contract or RQS Number: | CT 20190701 * 0019 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Fairfield Police Department 1 Police Plaza, P.O. Box 149, Fairfield, ME 04937 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | |
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| | | Printed Name: | Date: |
| <input 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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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

**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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

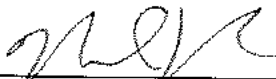
The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

**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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$ 117,000.00 | Contract or RQS Number: | CT 20190701 X 0020 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Gorham Police Department 270 Main Street, Gorham, ME 04038 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: 07/08/19 To: 07/14/19 | | | | | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | | | | | |
| 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; | | | | | | | |
| <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: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Printed Name:</td> <td style="width: 50%; 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: | | | | | | |
| | | | | | | | |
| <input 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; | | | | | | | |
| <input type="checkbox"/> D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum | | | | | | | |

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

| | | |
|----------|---|--------------------------|
| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |

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.

25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.

The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-27-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 106,500.00 | Contract or RQS Number: | CT 20190701 * 0001 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Aroostook County Sheriff's Office 25 School St., Suite 216, Houlton, ME 04730 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| <p>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;</p> | | | |
| <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |
| <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | | |

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

| | | |
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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
| | <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |

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.

25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.

The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

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

The Agency will continue to evaluate the need to sub-contract the position.

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.

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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.

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The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 104,100.00 | Contract or RQS Number: | CT 20190701 *0031 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Lewiston Police Department 171 Park Street, Lewiston, ME 04240 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Supervisor | |
| <p>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.</p> | | <p>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| <p>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;</p> | | | |
| <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |

State of Maine Waiver of Competitive Bidding Request Form

| | | |
|---|--|--------------------------|
| | 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. | |
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| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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

3. Availability of other Public Resources

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Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 94,600.00 | Contract or RQS Number: | CT 20190701 * 0043 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Westbrook Police Department 570 Main St., Westbrook, ME 04092-4114 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| <p>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.</p> | | <p>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: 07/08/19 To: 07/14/19</p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| <p>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;</p> | | | |
| <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |
| <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | | |

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

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> require a response. | | |
| <p>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.</p> | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as Investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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.

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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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 149,500.00 | Contract or RQS Number: | CT 20190701 * 0025 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Houlton Band of Maliseet Indians 88 Bell Rd., Suite 2, Littleton, ME 04730 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Commander | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| 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; | | | |

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

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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: <ol style="list-style-type: none"> (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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as Investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

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

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State of Maine Waiver of Competitive Bidding Request Form

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The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-27-19

State of Maine Waiver of Competitive Bidding Request Form

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| | | | |
|--|---|---|---|
| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 13,000.00 | Contract or RQS Number: | CT 20190701 *0022 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Hancock County Sheriff's Office 50 State St., Ellsworth, ME 04605 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| | <p>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;</p> | | |
| | <p>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;</p> | | |
| | <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> | |
| | Printed Name: | Date: | |
| | <p>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;</p> | | |
| | <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | |

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

| | | |
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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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

3. Availability of other Public Resources

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State of Maine Waiver of Competitive Bidding Request Form

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The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

**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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 88,100.00 | Contract or RQS Number: | CT 20190701 * 0021 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Hampden Police Department 106 Western Ave., Hampden, ME 04444 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| 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; | | |
| | D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum | | |

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

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
| | <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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.

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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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

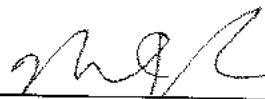
The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$ 106,100.00 | Contract or RQS Number: | CT 20190701 * 0011 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Bar Harbor Police Department 37 Firefly Lane, Bar Harbor, ME 04609 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | | | | | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | | | | | |
| 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: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Printed Name:</td> <td style="width: 50%; 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: | | |
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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; | | | | | | |
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**State of Maine
Waiver of Competitive Bidding Request Form**

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| | <p><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></p> | |
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| X | If a different authorization specifically allows for this non-competitive procurement, please provide that reference here: | 25 M.R.S.A., chapter 353 |
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| 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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**State of Maine
Waiver of Competitive Bidding Request Form**

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Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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State of Maine Waiver of Competitive Bidding Request Form

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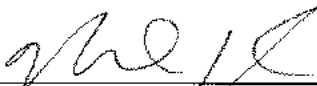
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Printed Name:

Michael J. Sauschuck

Date:

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

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| | | | |
|---|---|---|---|
| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 99,000.00 | Contract or RQS Number: | CT 20190701 *0014 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | Brewer Police Department 151 Parkway South, Brewer, ME 04412 | | |
| Short Description of Good or Service: | Professional Services, Not by State – Task Force Agent | | |
| <p>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.</p> | | <p>To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | NOI# 0720191163 | | |
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| | | Printed Name: | Date: |
| <p>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;</p> | | | |
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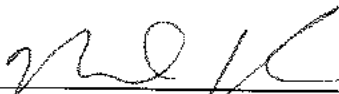
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|---|-----------------|--|---|----------------------|--------------|--|--|
| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$ 91,400.00 | Contract or RQS Number: | CT 20190701 * 0037 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Rockland Police Department 1 Police Plaza, Rockland, ME 04841 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
| | <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 89,100.00 | Contract or RQS Number: | CT 20190701 * 0005 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Aroostook County Sheriff's Office 25 School St., Suite 216, Houlton, ME 04730 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of <i>Procurement Services</i> website: From: <u>07/08/19</u> To: <u>07/14/19</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| 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; | | |
| | D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum | | |

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

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

**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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.


The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-27-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$ 101,900.00 | Contract or RQS Number: | CT 20190701 * 0037 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Jay Police Department 340 Main St., Jay, ME 04239 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | | | | | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | | | | | |
| 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: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Printed Name:</td> <td style="width: 50%; 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 | | | | | | | |

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

| | | |
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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
| | <p><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></p> | |
| | 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. | |
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| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

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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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

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

The Agency will continue to evaluate the need to sub-contract the position.

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

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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.

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**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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 85,800.00 | Contract or RQS Number: | CT 20190701 x 0008 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Auburn Police Department 60 Court St., Auburn, ME 04210 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| <p>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.</p> | | <p>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of <i>Procurement Services</i> website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| <p>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;</p> | | | |
| <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |
| <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | | |

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

| | | |
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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | <p>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;</p> | |
| | <p>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.</p> | |
| X | <p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p> | <p>25 M.R.S.A., chapter 353</p> |
| Please note that the following four points below (#2 through 5) <u>all</u> require a response. | | |
| <p>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.</p> | | |
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Waiver of Competitive Bidding Request Form**

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On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

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

The Agency will continue to evaluate the need to sub-contract the position.

**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.

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The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 119,000.00 | Contract or RQS Number: | CT 20190701 X 0006 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Aroostook County Sheriff's Office 25 School St., Suite 216, Houlton, ME 04730 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Supervisor | |
| <p>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.</p> | | <p>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of <i>Procurement Services</i> website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| <p>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;</p> | | | |
| <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |

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

| | | |
|--|--|--------------------------|
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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Waiver of Competitive Bidding Request Form**

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Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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Waiver of Competitive Bidding Request Form**

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The Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

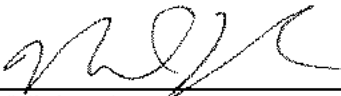
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Printed Name:

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Waiver of Competitive Bidding Request Form**

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| | | | | | | | |
|--|--|---|---|----------------------|--------------|--|--|
| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$ 99,500.00 | Contract or RQS Number: | CT 20190701 * 0009 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Auburn Police Department 60 Court St., Auburn, ME 04210 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | | | | | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | | | | | |
| 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: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Printed Name:</td> <td style="width: 50%; 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 | | | | | | |

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

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | <p>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;</p> | |
| | <p>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.</p> | |
| X | <p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p> | <p>25 M.R.S.A., chapter 353</p> |
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**State of Maine
Waiver of Competitive Bidding Request Form**

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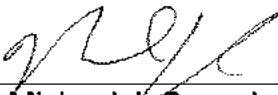
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State of Maine Waiver of Competitive Bidding Request Form

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| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | Knox County Sheriff's Office 327 Park St., Rockland, ME 04841 | | |
| Short Description of Good or Service: | Professional Services, Not by State – Task Force Agent | | |
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**Signature of requesting Department's
Commissioner or Chief Executive
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Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$95,400.00 | Contract or RQS Number: | CT 20190701 * 0033 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Penobscot County Sheriff's Office 85 Hammond St., Bangor, ME 04401 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| <p>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;</p> | | | |
| <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |
| <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | | |

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| | | |
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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael D. Sauschuck

Date:

6-18-19

**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.

| | | | |
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| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 89,900.00 | Contract or RQS Number: | CT 20190701 * 0016 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Cumberland County Sheriff's Office 36 County Way, Portland, ME 04102 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| 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; | | |
| | D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum | | |

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
| | <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> require a response. | | |
| 2. Description of Specific Need | | |
| <p>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.</p> | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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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.

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The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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

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**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:

Michael J. Sauschuck

Date:

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| | | | | | | | |
|---|--|---|---|----------------------|--------------|--|--|
| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$ 11,700.00 | Contract or RQS Number: | CI 20190701 *0023 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Hancock County Sheriff's Office 50 State St., Ellsworth, ME 04605 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
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| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | | | | | |
| 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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| 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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| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$104,800.00 | Contract or RQS Number: | CT 20190701 * 001a |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Biddeford Police Department 39 Alfred St., Biddeford, ME 04005 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Supervisor | |
| <p>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.</p> | | <p>To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
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| | | Printed Name: | Date: |
| <p>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;</p> | | | |

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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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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

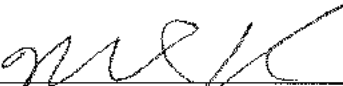
Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary data, also explain the necessity of these particular unique assets.

The Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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): | <i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i> |
| Printed Name: |  Michael J. Sauschuck |
| Date: | 6-27-19 |

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$105,000.00 | Contract or RQS Number: | CT20190701 * 0013 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Biddeford Police Department 39 Alfred St., Biddeford, ME 04005 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website:</p> <p>From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>1. Statutory Justification</p> <p>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.</p> | | | |
| <p>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;</p> | | | |
| <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |
| <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | | |

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

| | | |
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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

**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.

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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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

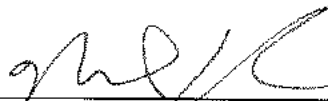
The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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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:

Michael J. Sauschuck

Date:

6-27-19

**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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$101,000.00 | Contract or RQS Number: | CT 20190701 * 0026 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Houlton Police Department 97 Military St., Houlton, ME 04730 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | | | | | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | | | | | |
| 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: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Printed Name:</td> <td style="width: 50%; 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: | | |
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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 | | | | | | |

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

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
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**State of Maine
Waiver of Competitive Bidding Request Form**

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State of Maine Waiver of Competitive Bidding Request Form

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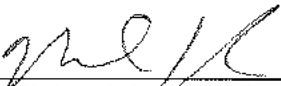
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| | |
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| Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office): | <i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i> |
| Printed Name: |  Michael J. Sauschuck |
| Date: | 6-18-19 |

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$96,600.00 | Contract or RQS Number: | CT 20190701 * 0034 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Penobscot County Sheriff's Office 85 Hammond St., Bangor, ME 04401 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
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**State of Maine
Waiver of Competitive Bidding Request Form**

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| | products; | |
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| <p>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.</p> | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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.

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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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 104,000.00 | Contract or RQS Number: | CT 20190701 X0038 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | Rumford Police Department 150 River Street, Rumford, ME 04276 | | |
| Short Description of Good or Service: | Professional Services, Not by State – Task Force Agent | | |
| <p>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.</p> | <p>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | | |
| Notice of Intent to Waive Competitive Bidding Number: | NOI# 0720191163 | | |
| <p>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.</p> | | | |
| | <p>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;</p> | | |
| | <p>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;</p> | | |
| | <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> | |
| | | Printed Name: | Date: |
| | <p>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;</p> | | |
| | <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | |

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

| | | |
|--|---|--------------------------|
| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
| | <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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

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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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$16,500.00 | Contract or RQS Number: | CI 20190701 X 0040 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Washington County Sheriff's Office 83 Court St., P.O. Box 297, Machias, ME 04654 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| 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; | | | |
| D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum | | | |

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

| | | |
|---|---|--------------------------|
| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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. | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

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

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The Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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):

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Printed Name:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$139,500.00 | Contract or RQS Number: | CF20190701 * 0036 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | Portland Police Department 109 Middle St., Portland, ME 04101 | | |
| Short Description of Good or Service: | Professional Services, Not by State – Task Force Commander | | |
| <p>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.</p> | | <p>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | NOI# 0720191163 | | |
| <p>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.</p> | | | |
| <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; | | |
| <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> | |
| | | Printed Name: | Date: |
| <input 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; | | |

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

| | | |
|--|---|--------------------------|
| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> require a response. | | |
| <p>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.</p> | | |
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**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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.

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Waiver of Competitive Bidding Request Form**

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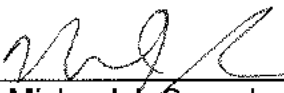
The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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Printed Name:

Michael J. Sauschuck

Date:

6-18-19

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Waiver of Competitive Bidding Request Form**

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| | | | |
|--|--|--|---|
| Requesting Department's Contract Administrator: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$95,000.00 | Contract or RQS Number: | CT 20190701 * COH1 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Washington County Sheriff's Office 83 Court St., P.O. Box 297, Machias, ME 04654 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| 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; | | |
| | D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum | | |

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

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
| | <p><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></p> | |
| | 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. | 25 M.R.S.A., chapter 353 |
| 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

**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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 80,200.00 | Contract or RQS Number: | CT20190701 * 0032 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | Lewiston Police Department 171 Park Street, Lewiston, ME 04240 | | |
| Short Description of Good or Service: | Professional Services, Not by State – Task Force Agent | | |
| 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. | <p><i>To be completed by the Division of Procurement Services</i></p> <p>Posting dates on Division of <i>Procurement Services</i> website:</p> <p>From: <u>07/08/19</u> To: <u>07/14/19</u></p> | | |
| Notice of Intent to Waive Competitive Bidding Number: | NOI# 0720191163 | | |
| 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. | | | |
| <p>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;</p> <p>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;</p> | | | |
| <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> | |
| | | Printed Name: | Date: |
| <p>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;</p> | | | |
| <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | | |

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

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> 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. | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-18-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$ 90,000.00 | Contract or RQS Number: | CT20190701 * 0035 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Piscataquis County Sheriff's Office 52 Court St., Dover-Foxcroft, ME 04426 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | | | | | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: 07/08/19 To: 07/14/19</p> | | | | | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | | | | | |
| 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; | | | | | | | |
| <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> | | By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement. Signature: <table style="width: 100%; border: none;"> <tr> <td style="border: none;">Printed Name:</td> <td style="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: | | | | | | |
| | | | | | | | |
| <input 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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**State of Maine
Waiver of Competitive Bidding Request Form**

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
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| 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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**State of Maine
Waiver of Competitive Bidding Request Form**

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Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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Waiver of Competitive Bidding Request Form**

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| | |
|---|---|
| Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office): | <i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i> |
| |  |
| Printed Name: | Michael J. Sauschuck |
| Date: | 6-18-19 |

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency |
| Est. Contract Amount: | \$ 94,100.00 | Contract or RQS Number: | CT 20190701 X 0010 |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 |
| Vendor/Provider Name, City, State: | | Augusta Police Department 33 Union Street, Augusta, ME 04330 | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Agent | |
| 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. | | <p style="text-align: center;"><i>To be completed by the Division of Procurement Services</i></p> <p>Posting dates on Division of <i>Procurement Services</i> website: From: <u>07/08/19</u> To: <u>07/14/19</u></p> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | |
| <p>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.</p> | | | |
| | <p>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;</p> | | |
| | <p>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;</p> | | |
| | <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> | |
| | | Printed Name: | Date: |
| | <p>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;</p> | | |
| | <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum</p> | | |

State of Maine Waiver of Competitive Bidding Request Form

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| | products; | |
| | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> | |
| | <p><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></p> | |
| | 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: | 25 M.R.S.A., chapter 353 |
| Please note that the following four points below (#2 through 5) <u>all</u> require a response. | | |
| <p>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.</p> | | |
| <p>25 M.R.S.A., chapter 353 established the Maine Drug Enforcement Act as the State's response to the unprecedented threat to the health and safety that the distribution of scheduled drugs into, out of and within the State presented. Chapter 353 sets forth the development of a statewide drug enforcement program and strategy based on principles of integration and unification at all levels of law enforcement, including federal, state, county and municipal levels and prosecutorial as well as investigative agencies.</p> <p>The Maine Drug Enforcement has no State employee staffing of commander, task force investigative supervisor or agent (Maine State Police equivalent of lieutenant, sergeant, or detective respectively) to address the drug threat. To implement this statewide drug enforcement program requires sub-contracting with municipal, county and state law enforcement agencies for staffing.</p> | | |

**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.

Maine Drug Enforcement Agency does not have the staffing needed to address the requirement and is sub-contracting out the labor using available trained resources from municipal, county and state law enforcement agencies allowing a demographic advantage in detecting and prosecuting drug offenders. The Provider's officer shall be compensated in a manner equivalent up to that of a Maine State Police Detective pursuant to 25 M.R. S.A., chapter 353.

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 Provider's officers shall be compensated in a manner equivalent up to that of a Maine State Police Detective (Salary Specification 33, Grade 22, Step 1 through 7) pursuant to 25 M.R. S.A., chapter 353. Reimbursement of expenses to be requested are not to exceed that difference between what the officer's hourly rate and that of a Maine State Police Detective, \$10.00 per hour special unit pay (clandestine lab assignment), plus employer paid costs associated with the difference between the officer's hourly rate and that of a Maine State Police Detective.

On a monthly basis, the Provider shall invoice to the MDPS MDEA its contractual costs of assigning its officer. Invoices shall provide sufficient detail as to salary costs and employer paid and shall be accompanied by supporting documentation to include a copy of the MDPS MDEA Time Record.

5. Future Competition

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

The Agency will continue to evaluate the need to sub-contract the position.

**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 Provider agrees to assign its officer, who is certified pursuant to section 2803-A, subsection of Title 25, M.R.S.A., to perform the services for the MDPS MDEA in the nature of a Task Force Investigative agent, and who shall be deputized as such pursuant to Title 25 §2955, M.R.S.A.

The Providers have had officers assigned to the State of Maine drug task force many years. The officer(s) were selected as the best candidate after a search of all departments interested in assigning an officer to the task force was undertaken.

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:

Michael J. Sauschuck

Date:

6-27-19

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: | Roy E. McKinney | Office/Division/Program of Contract Administrator: | Dept. of Public Safety, Drug Enforcement Agency | | | | |
| Est. Contract Amount: | \$ 121,600.00 | Contract or RQS Number: | CT20190701 *0028 | | | | |
| Proposed Start Date: | 7/01/2019 | Proposed End Date: | 6/30/2020 | | | | |
| Vendor/Provider Name, City, State: | | Kennebec County Sheriff's Office 125 State Street, Augusta, ME 04330 | | | | | |
| Short Description of Good or Service: | | Professional Services, Not by State – Task Force Supervisor | | | | | |
| 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. | | <p style="text-align: center;">To be completed by the Division of Procurement Services</p> Posting dates on Division of Procurement Services website: From: <u>07/08/19</u> To: <u>07/14/19</u> | | | | | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 0720191163 | | | | | |
| 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"/> | <input type="checkbox"/> | <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: | | | | | | |
| | | | | | | | |
| <input 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; | | | | | | |

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

| | | |
|----------|--|--------------------------|
| | 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; | |
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Waiver of Competitive Bidding Request Form**

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State of Maine Waiver of Competitive Bidding Request Form

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**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:

Michael J. Sauschuck

Date:

6-27-19