

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:	Brian Burne Highway Maintenance Engineer	Office/Division/Program of Contract Administrator:	Bureau of Maintenance & Operations, MaineDOT
Est. Contract Amount:	\$130,000 est. yearly	Contract or RQS Number:	MA180524*138
Proposed Start Date:	7/1/2019 (ongoing)	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State:		Built Blades LLC, Fairpoint, NY 14450	
Short Description of Good or Service:		Carbide Plow Blades	
<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 <i>Procurement Services</i> website: From: <u>7/9/2019</u> To: <u>7/15/2019</u></p>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0720191166	
<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>			
XX	<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:
XX	<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:</i> http://www.maine.gov/purchases/info/forms/govcoop.doc .	
	F. The procurement of goods or services involves expenditures of \$10,000 or less, in which case the Director of the Bureau of General Services may accept oral proposals or bids;	
	G. The procurement of goods or services involves expenditures of \$10,000 or less, and procurement from a single source is the most economical, effective and appropriate means of fulfilling a demonstrated need.	
	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	

Please note that the following four points below (#2 through 5) all require a response.

2. Description of Specific Need
 Please identify, and fully describe, the specific problem, requirement, or need the resulting non-competitive contract would address and which makes the goods or services necessary. Explain how the requesting Department determined that the goods or services are critical and/or essential to agency responsibilities or operations.

This is to request purchase of a unique style of plow blade. Carbide plow blades are the standard type of blade used by MaineDOT for snow fighting due to their long wear life. Although carbide wears very well, it is brittle and can often fracture. To help offset this issue, on some types of roads our carbide plow blades will be "faced" with another set of regular steel blades to help protect the carbide from damage from various obstacles that may stick up above the plowed surface (e.g. bridge joints, manholes, catch basins, rocks in gravel, etc...). The blades that we are proposing to purchase herein have a proprietary design that includes a hardox steel faceplate, continuously welded onto the carbide blade. The benefits of this design include not only the protective feature described above on a blade setup that weighs less overall, but it also requires less labor to change the blades and provides a very simple way to see how much wear is left on the carbide inserts, due to the "castle" design of the hardox faceplate. The web site may be viewed at: <http://www.builtblades.com/sabre/>. The proposal for the 2019-2020 winter season is to extend the use of these blades for an additional year, as well as adding in a trial for a new style of underbody plow blades.

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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.

N/A-We don't make carbide plow blades, nor should we.

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**.

A standard carbide plow blade currently costs about \$40 per foot. A standard steel blade that would be used to face the carbide currently costs about \$20 per foot. The blade proposed herein, with a comparable sized carbide insert, costs \$65 per foot. Considering the higher quality hardox steel and the additional benefits described in my response to Question #2, the pricing appears very fair and reasonable. Based on first-year test results, we are seeing roughly a 25% increase in wear life in addition to the benefits of being able to better recognize the level of blade wear throughout the season. Last season we utilized a version with a taller carbide insert, which translates into a much longer wear time for a slightly higher cost per foot (\$80 per foot, as opposed to \$65 per foot). Initial tests indicate that this version of blade offers a better overall value.

5. Future Competition

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

Other similar styles of plow blade have recently been developed, however they are not continuously welded and do not have as clear of a wear indicator for our snow fighters. So, at this time, it is still a unique product. However, from a more holistic perspective, the cost of this product is somewhat fixed due to the fact that we can go back to using a regular carbide blade with a steel face plate, if the pricing increases too much.

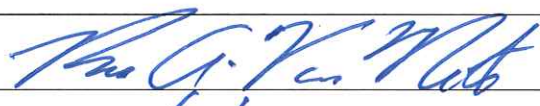
Please note that only one of the two points below ("Uniqueness" or "Timeframe") requires a response. Requesting Departments are not required to respond to both points.

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.

As mentioned in the response to Question #2, these plow blades have a proprietary design that includes a hardox steel faceplate that is continuously welded onto the carbide blade. The benefits of this design include not only the protective feature described when using a regular steel faceplate, but it also weighs less overall, requires less labor to change the blades and provides a very simple way to see how much wear is left on the carbide inserts, due to the "castle" design of the hardox faceplate.

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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.	
N/A	
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:	
Date:	7/2/19