

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:	Karen Carberry Warhola	Office/Division/Program of Contract Administrator:	DECD/Tourism/Film				
Est. Contract Amount:	\$ 18,880	Contract or RQS Number:					
Proposed Start Date:	July 15, 2019	Proposed End Date:	June 30, 2020				
Vendor/Provider Name, City, State:	Reel-Scout, 1900 Abbott St., Suite 100, Charlotte, NC 28203						
Short Description of Good or Service:	Build a Film Tourism module – fully built, fully integrated and fully populated - for the MFO Website.						
Please note, for transparency purposes, Waivers of Competitive Bidding will be publicly posted. Public postings are placed on the Division of Procurement Services website for a period of seven consecutive calendar days.		To be completed by the Division of Procurement Services Posting dates on Division of <i>Procurement Services</i> website: From: <u>7/23/2019</u> To: <u>7/29/2019</u>					
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0720191256						
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 checked="" type="checkbox"/>	C. After reasonable investigation by the Director of the Bureau of General Services, it appears that any required unit or item of supply, or brand of that unit or item, is procurable by the State from only one source;						

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	<p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;</p>
	<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>
	<p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p>

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

2. Description of Specific Need

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

(THE MAINE FILM OFFICE IS A DIVISION WITHIN THE OFFICE OF TOURISM)

The Maine Film Office is within the Maine Office of Tourism and the two agencies are jointly working on an initiative in the current MOT Strategic Plan to create film tourism packages. An excellent vehicle for Destination Marketing, Film Tourism also creates opportunities for entrepreneurs and small business development. This database module – which includes a mapping component - will be populated with all currently available information about films and TV shows shot or set in Maine, as well as small Maine businesses and their Maine-Made products featured in productions. The data in the module will be jointly available to both the Film and Tourism Offices to promote Maine as a filming and tourist destination. Having this resource available is crucial to meet the goal of this initiative in the MOT Strategic Plan. The database can also be used to track productions, and to gather and sort analytical information necessary for required annual reporting.

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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.

This Film Tourism module was developed by Reel Scout specifically for film and tourism agencies. This cutting-edge product, designed specifically to support the emerging and rapidly growing Film Tourism industry, is not currently available from other vendors. This vendor, which provides products and services specific to the film and media industry, provides a unique product and it would be too time consuming and labor intensive to develop a duplicate product.

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 fee is lower than the standard rate throughout the country for this specific type of module – one that will be fully built, fully integrated and fully populated – and would save the film office on staff time and costs. The savings in employee labor time and costs adds to the fair and reasonable nature of the vendor fee.

5. Future Competition

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

We continue to evaluate services as they become available. Currently, Reel-Scout designs and maintains the deepest and most content-rich databases available, which are considered industry standard by film offices throughout the country and is the only vendor that provides this product.

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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.

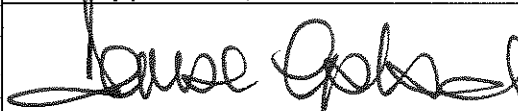
Reel-Scout designs, builds and services databases specific to the film and media industry, and their products are considered industry standard throughout the world. This vendor is uniquely qualified to build, population and service the online module, which was designed by this vendor to provide specific functions uniquely required by the film tourism industry. This expanded marketing platform is currently not offered by any other vendor and is a valuable feature that is important to the Film Office’s marketing campaign and the successful delivery of an initiative in the current MOT Strategic Plan - to create film tourism packages.

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 approve of, this Waiver of Competitive Bidding.



Printed Name:

Denise Garland Deputy Commissioner

Date:

7-22-19