

**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:	Denise Garland	Office/Division/Program of Contract Administrator:	DECD/Admin
Est. Contract Amount:	\$376,684	Contract or RQS Number:	CT 19A 20180802*0399
Proposed Start Date:	August 19, 2019	Proposed End Date:	June 30, 2020
Vendor/Provider Name, City, State:	Maine Manufacturing Extension Partnership 87 Winthrop Street, Augusta, Maine 04330		
Short Description of Good or Service:	The grantee provides comprehensive technical and business assistance to manufacturing enterprises throughout Maine.		
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>8/6/2019</u> To: <u>8/12/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0820191334		
1. Statutory Justification			
State of Maine statute (5 M.R.S. §1825-B(2)) allows waivers of competitive bidding only for the specific reasons listed below. Please mark the appropriate box (X) next to the justification which applies to this specific request.			
<input type="checkbox"/>	A. The procurement of goods or services by the State for county commissioners pursuant to Title 30-A, section 124, involves the expenditure of \$2,500 or less, and the interests of the State would best be served;		
<input type="checkbox"/>	B. The Director of the Bureau of General Services is authorized by the Governor, or the Governor's designee, to make purchases without competitive bidding because, in the opinion of the Governor or the Governor's designee, an emergency exists that requires the immediate procurement of goods or services;		
<input type="checkbox"/>	<i>If citing the above justification for this Waiver of Competitive Bidding request, please have the requesting Department's Commissioner or Chief Executive (as the Governor's "designee") sign and date on the right.</i>	<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i> Signature: 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;		
<input type="checkbox"/>	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 style="margin-left: 20px;">(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 style="margin-left: 20px;">(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:</i></p> <p>http://www.maine.gov/purchasing/dafs/bgs/division_of_procurement_services/govcoop_form.doc.</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.

This grant is mandated by Chapter 358 of the Public Laws of 2001 (General Funds). The purpose of the grant is to provide matching funds to the Maine Manufacturing Extension Partnership (MEP), for the delivery of comprehensive technical and business assistance to manufacturing businesses statewide. Maine's manufacturing base continues to face considerable economic pressure. This assistance is necessary to improve these businesses' ability to compete against strengthening foreign competition, take advantage of new technology and processes and improve operating efficiencies.

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3. Availability of other Public Resources

Please explain how the requesting Department concluded that sufficient staffing, resources, or expertise is not available within the State of Maine's government, or other governmental entities (local, other state, or federal agencies) external to the requesting Department, which would be able to address the identified need more efficiently and effectively than the identified vendor.

The challenge for manufacturers in Maine today is satisfying escalating customer expectations in an increasingly volatile and competitive global market while also maintaining satisfactory profit margins. The services provided statewide by Maine MEP to Maine's manufacturing businesses are unique to MEP and not conducted by any other organization. The staffing at DECD works closely with MEP however, we are unable to provide the extent of one-on-one counseling services provided by Maine MEP. The state of Maine's contract leverages over \$863,522 in Federal funds to assist Maine's small and medium sized manufacturing businesses. Additionally, the U.S. Department of Commerce National Institute of Standards and Technology (NIST) MEP holds the Maine MEP cooperative agreement and requires state funding to leverage the federal funding.

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**.

Funding for this program has remained the same since implementation, however with the support of local businesses has enabled this program to continue and grow. There is no other program in the State of Maine that provides these services to Maine's manufacturing businesses

5. Future Competition

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

This grant to the Maine Manufacturing Extension Partnership was provided to the baseline budget by Chapter 358 of the Public Laws of 2001. Funding has been adjusted over time to reflect available department resources.

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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 Maine Manufacturing Extension Partnership (Maine MEP) provides comprehensive technical and business assistance to manufacturing enterprises throughout the state of Maine. Maine MEP is able to leverage a vast array of public and private resources and services that are available to every manufacturing enterprise in Maine. The nationwide system of MEP centers is linked through the U.S. Department of Commerce - National Institute of Standards and Technology (NIST), with the common goal to strengthen the global competitiveness of U.S. manufacturers.

Vision: In the next five years, the Maine MEP will become the primary point of contact for all of Maine's small and medium enterprises (SMEs) service needs. By leveraging the Center's expertise, SMEs will be able to attain their business goals.

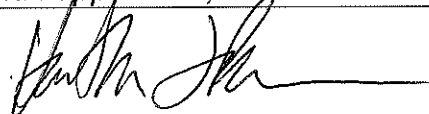
Mission: The mission of the Maine MEP is to facilitate economic development in Maine by providing needed services to Maine's SMEs.

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

Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e. impact if delayed beyond this date). Also, provide information as to how it was determined this vendor is the best option to address this time-sensitive procurement.

Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):

By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.



Printed Name:

Heather Johnson

Date:

August 3, 2019