

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:	Maria Hobbs	Office/Division/Program of Contract Administrator:	DVEM/Maine Emergency Management Agency
Est. Contract Amount:	\$ Various	Contract or RQS Number:	Various CT's
Proposed Start Date:	10/01/2019	Proposed End Date:	09/30/2021
Vendor/Provider Name, City, State:	16 State Counties (Please see attached sheet for award breakdown)		
Short Description of Good or Service:	FEMA 2019 Emergency Performance Grant Program		
<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>8/7/19</u> To: <u>8/13/19</u></p>	
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0820191336		
<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>		
	Signature:		
	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.	
	E. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;	
	F. 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>	
	G. 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;	
	H. 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:	CFDA #97.067-FEMA Homeland Security Grant Program 2019

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 FY 2019 Homeland Security Grant Program plays an important role in the implementation of the National Preparedness System (NPS) by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal (NPG) of a secure and resilient Nation. HSGP funding shall be used for statutorily eligible costs related to the planning, organization, equipment, training, and exercise needs that prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events.

The allocation methodology for FY 2019 SHSP is based on two factors: minimum amounts as legislatively mandated, and DHS' risk methodology. Each state and territory received a minimum allocation using the thresholds in the Homeland Security Act of 2002, as amended.

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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

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**.

No State funds are being used for match. A review of all costs are conducted during the application review process and is based on project benefits exceeding the cost.

5. Future Competition

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

MEMA encourages all eligible applicants to apply for HSGP grants and guides each one along through the process to prepare and complete the application.

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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This is a competitive federal grant award. CFDA #97.067

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):**

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



Printed Name:

PETER J. ROGERS

Date:

8/1/19

SUB RECIPIENT	PROGRAM	CONTRACT NUMBER	VC NUMBER	Allocation
ANDROSCOGGIN	HSGP	CT 20190723*0239	VC1000003939	\$ 92,492.08
AROOSTOOK	HSGP	CT 20190723*0240	VC0000163801	\$ 131,375.13
AUBURN	HSGP	CT 20190723*0242	VC1000006562	\$ 101,253.44
AUGUSTA	HSGP	CT 20190723*0243	VC1000006668	\$ 117,299.07
BANGOR	HSGP	CT 20190723*0244	VC1000007010	\$ 187,260.72
CUMBERLAND	HSGP	CT 20190723*0245	VC1000019079	\$ 170,329.54
FRANKLIN	HSGP	CT 20190723*0246	VC1000031118	\$ 73,982.77
HANCOCK	HSGP	CT 20190723*0247	VC1000034577	\$ 87,516.44
KENNEBEC	HSGP	CT 20190723*0248	VC1000049755	\$ 118,645.04
KNOX	HSGP	CT 20190723*0249	VC1000051325	\$ 75,968.39
LEWISTON	HSGP	CT 20190723*0250	VC1000054040	\$ 160,456.28
LINCOLN	HSGP	CT 20190723*0251	VC1000054283	\$ 79,155.20
OXFORD	HSGP	CT 20190723*0252	VC1000069938	\$ 102,768.27
PENOBSCOT	HSGP	CT 20190723*0253	VC1000072242	\$ 139,002.18
PISCATAQUIS	HSGP	CT 20190723*0254	VC0000168511	\$ 67,712.18
PORTLAND	HSGP	CT 20190723*0255	VC1000073493	\$ 356,655.57
SAGADAHOC	HSGP	CT 20190723*0256	VC1000080860	\$ 69,398.50
SOMERSET	HSGP	CT 20190723*0257	VC0000108995	\$ 90,523.22
SOUTH PORTLAND	HSGP	CT 20190723*0258	VC0000126978	\$ 176,169.92
WALDO	HSGP	CT 20190723*0259	VC1000095036	\$ 79,349.50
WASHINGTON	HSGP	CT 20190723*0260	VC1000095370	\$ 83,747.28
YORK	HSGP	CT 20190723*0261	VC0000142900	\$ 130,424.28