

# 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.

<b>Requesting Department's Contract Administrator:</b>	Donna E. Grant, Deputy Secretary of State	<b>Office/Division/Program of Contract Administrator:</b>	Office of Information Services, The Department of Secretary of State
<b>Est. Contract Amount:</b>	\$7,508.82	<b>Contract or RQS Number:</b>	BPO29B2018223000000001028
<b>Proposed Start Date:</b>	06/26/2019	<b>Proposed End Date:</b>	06/25/2020
<b>Vendor/Provider Name, City, State</b>	1 <sup>st</sup> Run Computer Services, Inc. 500 Old Country Road, Suite 105 Garden City, NY 11530		
<b>Short Description of Good or Service:</b>	One Year Maintenance for 3 Kodak i4650 Scanners used by Archives/BABLO		
<b>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.</b>	<p style="text-align: center;"><b>To be completed by the Division of Procurement Services</b></p> <p>Posting dates on Division of <b>Procurement Services</b> website:                  From: <u>8/14/2019</u> To: <u>8/20/2019</u></p>		
<b>Notice of Intent to Waive Competitive Bidding Number:</b>	NOI# 0820191368		
<b>1. Statutory Justification</b>			
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>	<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><b>Signature:</b></p>	
		<b>Printed Name:</b>	<b>Date:</b>
<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 products;		
<input type="checkbox"/>	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: <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>.</i>		
<input type="checkbox"/>	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;		
<input type="checkbox"/>	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.		
<input type="checkbox"/>	If a different authorization specifically allows for this non-		

# State of Maine Waiver of Competitive Bidding Request Form

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.

Each of the Kodak i4650 scanners cost approximately \$9,000 and is heavily used by the Maine State Archives. The Maine State Archives uses these scanners in their Digitization Project which is the digitization of all state records. The Digitization Project relies on these scanners for their day to day operations. Since these scanners are so expensive and are in use approximately 8 hours a day, 5 days a week and are necessary to conduct the business of the Maine State Archives; the Office of Information Services is requesting that these scanners be cover with Onsite, Next Business Day by 1 p.m. maintenance.

## 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.

1<sup>st</sup> Run Computer Services provided maintenance for these Kodak i4650 scanners under the original purchase agreement. The Office of Information Services would like to extend the maintenance contract with 1<sup>st</sup> Run Computer Services for an additional year. 1<sup>st</sup> Run Computer Services is known for prompt, efficient and economical solutions. Under the original maintenance contract, service calls were placed on a number of occasions for the i4650 Kodak scanners. 1<sup>st</sup> Run Computer Services handled the repairs quickly and efficiently.

## 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 cost of maintenance for the Kodak i3650 scanners is much less that the cost to replace a scanner if a malfunction occurs. Additionally, replacement parts for the i3650 scanner can be extremely expensive so an all-inclusive maintenance contract will eliminate pricey repair bills.

## 5. Future Competition

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

As these Kodak i3650 scanners reach end of life, the Office of Information Services will pursue the competitive bidding process to replace these scanners and provide maintenance for the new scanners.

## 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.**

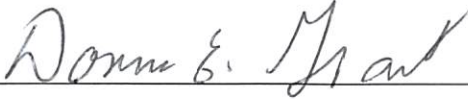
**6. Uniqueness**

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.

1<sup>st</sup> Run Computer Services is a factory trained service center located in the northeast. They are able to provide Onsite, Next Business Day by 1 p.m. for the 3 Kodak i4650 scanners used in the Digitization Project of the Maine State Archives. These scanners are critical to the business functions of the Maine State Archives. Since the Kodak i4650 scanners are used 5 days a week, 8 hours a day; it is critical that these scanners be covered by a maintenance agreement to insure that they are kept in working order at all times.

**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.

<b>Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):</b>	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
<b>Printed Name:</b>	
<b>Date:</b>	Donna E. Grant, Deputy Secretary of State for Information Services
	August 7, 2019