

## 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>	Claire Enterline/ Thomas Gildersleeve	<b>Office/Division/Program of Contract Administrator:</b>	Marine Resources Policy Maine Coastal Program		
<b>Est. Contract Amount:</b>	\$ 12,057 (plus shipping)	<b>Contract or RQS Number:</b>	RQS-13A-20190820*245		
<b>Proposed Start Date:</b>	08/30/19	<b>Proposed End Date:</b>	11/30/19		
<b>Vendor/Provider Name, City, State:</b>		Onset Computer Corp PO Box 3450 Pocasset MA 02559-3450 VC1000069683			
<b>Short Description of Good or Service:</b>		Purchase of water level data loggers and associated installation and data recovery equipment for tidal marsh monitoring coast-wide project.			
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>To be completed by the Division of Procurement Services</b> Posting dates on Division of <b>Procurement Services</b> website: From: <u>09/03/2019</u> To: <u>09/09/2019</u>			
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0920191457			
<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>		<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i>			
		<b>Signature:</b>  <table style="width: 100%;"> <tr> <td style="width: 50%;"><b>Printed Name:</b></td> <td style="width: 50%;"><b>Date:</b></td> </tr> <tr> <td style="height: 40px;"></td> <td></td> </tr> </table>		<b>Printed Name:</b>	<b>Date:</b>
<b>Printed Name:</b>	<b>Date:</b>				

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	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;
	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:  <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>.</i>
	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.

<b>X</b>	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	Quotes were obtained from three sources for the equipment and Onset provided lowest cost option.
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**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 Coastal Program is leading a project to collect data at marshes statewide in order to understand how salt marsh habitat and ecosystems respond over long periods of time to climate change and sea level rise. We have established sentinel sites from York to Lubec and collect information such as vegetation change over time, salt marsh platform elevation change, and will collect water level, sea level rise, and tidal variability data at each site. This purchase is for water level loggers and the equipment necessary for their installation, calibration, and data retrieval and processing as part of this project. These loggers will monitor changes in sea level and tidal range over time.

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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.

DMR and no other state agency currently possesses water level loggers that can be assigned solely to this project for the long-term. The equipment must be purchased and dedicated to this project.

**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**.

Three quotes were obtained (attached) from three companies that manufacture similar equipment. The Onset quote was the lowest.

**5. Future Competition**

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

If future purchases need to be made, quotes will again be solicited.

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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.

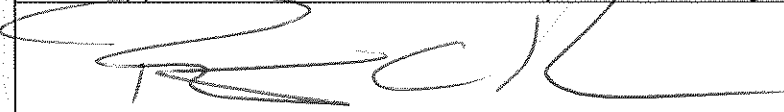
**6. Uniqueness**

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.

**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.

The purchase must be made before mid-August so that Maine Coastal Program can deploy the water level loggers during the 2019 survey season in order to pilot the logger installations and collect enough data during the pilot year to provide meaningful results to inform long-term installations.

<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>	8/9/19

013-13A-Q106-02

[Print this page](#)

## Your Onset Computer Shopping Cart

	Product Name	Model	Quantity	Unit Price	Total
<a href="#">[U20-001-04-Ti]</a>	13-Foot Depth Titanium Water Level	U20-001-04-Ti	12	595.00	7,140.00
<a href="#">[BASE-U-4]</a>	Optic USB Base Station	BASE-U-4	3	124.00	372.00
<a href="#">[BHW-PRO-DLD]</a>	HOBOWare Pro - Mac/Win (Download Only) Download link and license key will be provided after your order has been processed	BHW-PRO-DLD	1	75.00	75.00
<a href="#">[CABLE-USBMB]</a>	USB Cable	CABLE-USBMB	3	10.00	30.00
<a href="#">[U20-CASE-1]</a>	Water Level Data Logger Carrying Case	U20-CASE-1	3	33.00	99.00
<a href="#">[CABLE-1-CRIMP]</a>	Crimp Sleeve 12 Pack	CABLE-1-CRIMP	3	32.00	96.00
<a href="#">[CABLE-1-50]</a>	1/16" Stainless Steel Cable 50ft	CABLE-1-50	1	69.00	69.00
<a href="#">[WELL-CAP-01]</a>	Well Cap	WELL-CAP-01	12	49.00	588.00
<a href="#">[U20L-04]</a>	Water Level (13 ft)	U20L-04	12	299.00	3,588.00

Estimated  
Order  
Total

\$12,057.00 USD

Taxes

Shipping, taxes, and additional fees not included. Taxes applied to IN, MA, and HI purchases. Additional fees are outlined in the terms and conditions at checkout. All free shipping promotions apply to US domestic UPS Ground shipping (online orders only). Other shipping options are available.

Additional  
Info



**Quote – Q-39196**

In-Situ, Inc.  
 221 E. Lincoln Avenue  
 Fort Collins, CO 80524  
 U.S.A.

Tel: (800) 446-7488  
 Fax: (970) 498-1598  
 Email: sales@in-situ.com  
 Web: www.in-situ.com

Issued By: Joe Adams  
 Date: July 16, 2019  
 Quote Valid for 30 days

<b>Sales Manager</b> Joe Adams	<b>Customer ID</b>	<b>Payment Terms</b>	<b>Shipping Method</b>	<b>INCO Terms</b>	<b>Final Destination</b>
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<b>Quote To:</b>
Maine Coastal Program  , Maine 04575 United States
<b>Attn:</b>
Claire Enterline claire.enterline@maine.gov 2076339454

<b>Ship To:</b>
Maine Coastal Program  , Maine 04575 United States
<b>Comments:</b>

<b>Equipment</b>								
Line	Product Description	Part Number	Unit of Sale	Qty.	Unit List Price	Total List Price	Disc.	Customer Total Price
1.	Rugged TROLL 200 0 - 30 ft (0 - 9m)	0091930	Each	24	\$595.00	\$14,280.00	8.24%	\$13,103.76
2.	Docking Station for Rugged TROLL 100/200, With USB Cable	0091970	Each	3	\$225.00	\$675.00	8.24%	\$619.41
3.	Suspension Wire - 300 Feet	0066450	Each	1	\$195.00	\$195.00	8.24%	\$178.94
4.	Clamp for Suspension Wire (Each)	0030860	Each	48	\$5.00	\$240.00	8.20%	\$220.32
5.	Rugged Baro TROLL - for Use With Rugged TROLL 100 and 200. Deploy On Backshell Hanger (Included) Or Direct Read Cable	0091900	Each	1	\$420.00	\$420.00	8.24%	\$385.40
<b>Subtotal:</b>								<b>\$14,507.83</b>

<b>Quote Total</b>		
For further information regarding the Warranty or Terms and Conditions, please refer to our website at <a href="http://in-situ.com/terms-conditions/">http://in-situ.com/terms-conditions/</a>	<b>Sales Tax:</b>	<b>\$0.00</b>
All quoted product & service prices are in U.S. Dollars unless specifically noted otherwise.	<b>Shipping:</b>	
<b>Total Amount (Excludes Optional Items):</b>		<b>USD \$14,507.83</b>



In-Situ, Inc.  
221 E. Lincoln Avenue  
Fort Collins, CO 80524  
U.S.A.

Tel: (800) 446-7488  
Fax: (970) 498-1598  
Email: [sales@in-situ.com](mailto:sales@in-situ.com)  
Web: [www.in-situ.com](http://www.in-situ.com)

**Quote – Q-39196**

Issued By: Joe Adams  
Date: July 16, 2019  
Quote Valid for 30 days

**Managing your data has never been this easy!**

Our intuitive [VuSitu Mobile App](#) allows you to view data from the field on your smartphone or tablet. For long-term or remote sites, integrate In-Situ instruments with our [wireless telemetry systems](#) and cloud-based [HydroVu Data Services](#) for real-time, decision-quality data. Ask your sales rep for more information.



**Customer/Prospect #: 12616**

Date Printed: Jul-05-2019  
**Quote Date:** Jul-05-2019

**Bill To:**

Claire Enterline  
 Maine Coastal Program  
 ME  
 UNITED STATES

**Ship To:**

Claire Enterline  
 Maine Coastal Program  
 ME  
 UNITED STATES

Solinst Canada Ltd.  
 35 Todd Road  
 Georgetown ON L7G 4R8  
 Canada  
 Fax: 905-873-1992/800-516-9081  
 Phone: 905-873-2255/800-661-2023

**Attention:** Claire Enterline  
 2076339454

**Attention:**

**email:** instruments@solinst.com  
**web:** www.solinst.com

Quote Expiration	Ship Via	Shipping Terms	Duty & Brokerage	HST/PST	GST	State Tax	Terms
Sep-03-2019	UPSG	FCA	Included	TAX 0%	GST EX	Customer remit	Net 30 Days

Qty	Part#	Description	U-M	List Price	Disc 1	Disc 2	Net Price	Ext Price
24.00	110023	3001 LT Levellogger Edge, M5	EA	592.00	0.00	0.00	592.000	14,208.00
3.00	111348	3001/3500 App Interface for the Levellogger/AquaVent	EA	347.00	0.00	0.00	347.000	1,041.00
3.00	111939	3001 DataGrabber for the Levellogger	EA	211.00	0.00	0.00	211.000	633.00
3.00	112706	3001 Slip Fit DR to Optical Adaptor for the Levellogger	EA	65.00	0.00	0.00	65.000	195.00
3.00	110149	3001 Optical Reader (USB) for the Levellogger	EA	149.00	0.00	0.00	149.000	447.00
15.00	106191	3001 Spare Wireline Hooks (set of 2) for Levellogger	EA	10.00	0.00	0.00	10.000	150.00
1.00	108963	3001 Kevlar Cord Assembly (50ft) for the Levellogger	EA	23.00	0.00	0.00	23.000	23.00
15.00	110099	3001 Well Cap Assembly (2") for the Levellogger	EA	22.00	0.00	0.00	22.000	330.00

**Sale Amount:** 17,027.00  
**Order Disc (0.0000%):** 0.00  
**Surcharge:** N/A  
**Misc Charges:** 0.00  
**GST:** 0.00  
**HST/PST:** 0.00  
**Total Amount:** 17,027.00  
**US Dollar**

E&OE  
 Freight extra unless otherwise indicated  
 Please allow additional time for transit

**ALL PRICES ARE SUBJECT TO PRODUCT AVAILABILITY AT TIME OF ORDER**

**Salesperson: Buckley, John**

**SIGNATURE** \_\_\_\_\_