

## 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>	Hannah Collins	<b>Office/Division/Program of Contract Administrator:</b>	DECD – Maine Office of Tourism
<b>Est. Contract Amount:</b>	\$ 50,000	<b>Contract or RQS Number:</b>	20190828*0677
<b>Proposed Start Date:</b>	September 1, 2019	<b>Proposed End Date:</b>	December 31, 2020
<b>Vendor/Provider Name, City, State:</b>	Convention & Visitors Bureau of Greater Portland DBA: Visit Portland 1375 Congress Street Portland, ME 04102		
<b>Short Description of Good or Service:</b>	Coordination, Planning Management of Cruise Canada New England (CCNE) Symposium 2020 in Portland, ME.		
<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><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>9/9/2019</u> To: <u>9/15/2019</u></p>		
<b>Notice of Intent to Waive Competitive Bidding Number:</b>	NOI# 0920191485		
<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.			
	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;		
	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>	

**State of Maine  
Waiver of Competitive Bidding Request Form**

<b>X</b>	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.
	If a different authorization specifically allows for this non-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.

Cruise Tourism is an important market segment to the state of Maine. More than 400,000 cruise visitors spent a total of \$29 million in the state during the 2018 cruise season. When coupled with indirect (induced) spending, cruise visitor spending generates at least \$33 million in overall economic impact, supports almost 400 jobs, and provides \$1.7 million in tax revenue for Maine.

The Cruise Canada New England (CCNE) Alliance was created to develop and market the Canada New England cruise region as a premier cruise destination, offering cruise visitors from around the world superior hospitality, unique activities, diverse destinations, and authentic local experiences. The 2020 Cruise Canada New England Symposium will take place in Portland, Maine.

In partnership with the CCNE Alliance, Visit Portland, CruiseMaine and Cruise Portland are the official hosts of the 2020 Cruise Canada New England (CCNE) Symposium. The Cruise Canada New

**State of Maine  
Waiver of Competitive Bidding Request Form**

England Symposium is an annual event where cruise industry delegates representing ports, cruise lines, tourism agencies, marine agencies, government partners, and tour operators can share experiences, build relationships and discover up and coming trends in cruising.

Visit Portland is the only organization with the knowledge, skills and staff to manage and execute this symposium in 2020. This organization has the capability to receive funds, reserve room blocks and pay all the expenses with incoming funds. Visit Portland has the long established relationships and partnerships with its membership, including lodging establishments, event venues and cruise industry leaders that are necessary to successfully execute this symposium in 2020. As the fiscal agent for this symposium, Visit Portland can execute the contracts necessary to secure event, lodging and dining space for 200+ attendees.

**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 2020 Cruise Canada New England Symposium will take place in Portland, ME. The event, which will be the 22<sup>nd</sup> annual Symposium, is scheduled from June 2-4, 2020. The Greater Portland Convention & Visitors Bureau (also known as Visit Portland) is the only organization with the knowledge, skills and staff to manage and execute this symposium in 2020.

**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**.

Each of the 5 CCNE Alliance partners – CruiseMaine, NYCruise, Flynn Criseport Boston, Cruise Atlantic Canada, and Cruise St. Lawrence contribute financially to the symposium, and alternate locations for the symposium each year. Over the course of this 20+ year alliance, the budget needed to execute this symposium has been established.

**5. Future Competition**

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

There will be no need to explore future opportunities in the future, as the Symposium will not be hosted in Maine for another 6 years.

**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.

**State of Maine  
Waiver of Competitive Bidding Request Form**

The Greater Portland Convention and Visitors Bureau (Visit Portland) is a not-for-profit, membership-driven sales and marketing organization comprised of 445 businesses in the Greater Portland region of Maine that depend upon the visitor and convention industries for their own success and growth.

Greater Portland Convention and Visitors Bureau (Visit Portland) is the only organization with the knowledge, skills and staff to manage and execute this symposium in Portland, Maine in 2020.

**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:**

Denise Garland

**Date:**

9-3-19