

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:	Lucas Bellanceau	Office/Division/Program of Contract Administrator:	IF&W Bureau of Warden Service
Est. Contract Amount:	\$ 11,309	Contract or RQS Number:	RQS-09A-20190911*330
Proposed Start Date:	9/1/2019	Proposed End Date:	12/31/2019
Vendor/Provider Name, City, State:	American Aluminum Accessories Inc 3882 Byron Butler Pkwy Perry, Florida 32348		
Short Description of Good or Service:	Three K9 Kennel Inserts for Ford F-150 Crew Cab		
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>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>9/16/2019</u> To: <u>9/22/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0920191527		
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"/>	<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> <p>Signature:</p>	
<input type="checkbox"/>		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;		

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	<p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;</p>
	<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>(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>(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> http://www.maine.gov/purchases/info/forms/govcoop.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.

Over the Past Three years the Maine Warden Service K9 unit has started using American Aluminum EZ Rider K9 kennel inserts in new K9 patrol vehicles. These have been installed in crew cab GMC sierra 1500 trucks at two trucks per year. This year three Ford F-150's are in rotation to replace three older K9 patrol trucks. With the implementing of three trucks and change in brand the cost of the inserts has increased slightly. The current kennels in the three pickup trucks being replaced are for extended cab pickup trucks and are not compatible to fit in Ford F-150 crew cab trucks. They are older home-made models and are not commercially made products. Older models of K9 Kennel inserts that are currently being used are compact and do not provide sufficient room for the K9 which has resulted in significant injury to some of our K9's including split or cut tails, infection from tail and abrasion injuries, ingestion of firewall and door handle material. Progression in K9 selection and higher drive K9's lead to more destructive behavior from the K9 inside the vehicle. The patrol trucks currently equipped with American Aluminum EZ Rider K9 inserts provide ample room for the K9 and are better built and provide sealed and safer compartment for the K9 in the event of collision and a better ventilation system for heat avoidance inside the vehicle. American Aluminum EZ Rider K9 inserts in current patrol vehicles have resulted in no injury to K9's or destruction to the truck components themselves.

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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.

American Aluminum Accessories Inc. produces a unique and quality K9 kennel insert. There are very few manufactures that produce a manufactured K9 kennel insert to fit inside Ford F-150 or GMC 1500 trucks. There are no manufactures of K9 Kennel inserts within the state of Maine.

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 only comparable manufactured K9 kennel Insert for Ford F-150's is built by Havis inc. which is approximately \$300-\$400 more in price per unit and have less features specific to Warden Service needs. The department has purchased American Aluminum K9 inserts direct from the manufacturer for the past three years which has allowed for the most direct and fair pricing compared to a dealer and distributor. Price is comparable to Previous years purchases for GMC 1500 Sierra trucks. Ordering three kennel inserts at once saves on shipping cost opposed to shipping one kennel insert unit at a time individually.

5. Future Competition

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

Change in truck model and selection may alter the style and brand compatibility of K9 kennel inserts in the future. Switching brand trucks from GMC to Ford has limited the number of manufacturer options and products on the market.

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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.

American Aluminum EZ Rider K9 inserts provide ample room for the K9 and are better built and provide sealed and safer compartment for the K9 in the event of collision. They also provide a better ventilation system for heat avoidance inside the vehicle. American Aluminum EZ Rider K9 inserts in current patrol vehicles have resulted in no injury to K9's or destruction to the truck components themselves. American aluminum 1/3 prisoner and 2/3 K9 kennel insert design for Ford F-150 is the only kennel design that does not take up the entire rear cab of a truck on the market. Comparable kennels take up the entire length of the truck cab and do not allow any room for gear or equipment storage. This kennel design allows 1/3 of the rear cab of the truck to be used for gear and equipment. American Aluminum EZ Rider K9 inserts also offer a sealed compartment separating the K9 from the gear or prisoner area of the vehicle. Previous or other manufactured designs allow the K9 to access clothing, gear, or truck parts through grates of the K9 compartment. Destroying equipment and the K9 potentially ingesting harmful materials.

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:

Judith Camuso

Date: