

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:	Lee Kantar Senior Resource Biologist	Office/Division/Program of Contract Administrator:	Dept. of Inland Fisheries and Wildlife, Bureau of Resource Management, Wildlife Division
Est. Contract Amount:	\$ 179,300	Contract or RQS Number:	CT-09A-20190913*866
Proposed Start Date:	1/2/2020	Proposed End Date:	2/29/2020
Vendor/Provider Name, City, State:	Native Range Capture Services Inc. 1910 E. Idaho Street, Ste 102-598 Elko, NV 89801		
Short Description of Good or Service:	Aerial (helicopter) capturing and GPS collaring moose		
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>9/18/2019</u> To: <u>9/24/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0920191553		
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"/>	<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>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;		

State of Maine Waiver of Competitive Bidding Request Form

	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: http://www.maine.gov/purchases/info/forms/govcoop.doc.</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.

IFW needs an experienced helicopter pilot and crew to capture and collar moose in northern Maine. Moose will be fitted with GPS collars that will enable wildlife biologists to locate the animals, detect mortalities, investigate cause of death, and determine when and where they are giving birth. The moose project is a multi-year project being done in cooperation with other wildlife agencies and universities. Past cooperators include Cooperators include New Hampshire Fish and Game, University of New Hampshire (UNH), Vermont Fish and Wildlife; and the University Maine. The moose project will determine the annual mortality rates of juvenile and adult moose in several study areas, the primary causes of mortality, and estimate reproduction and early calf survival rates. Information acquired by this project will be used to model population changes, guide management recommendations, and determine the allocation of hunting permits for moose in Maine and other jurisdictions.

The primary mission of the Department of Inland Fisheries and Wildlife is to ensure that Maine wildlife populations continue to thrive and be enjoyed into the future. As such, moose hunting needs to be regulated to ensure that harvest rates do not jeopardize the overall health of their populations. To determine whether

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

harvest rates are in line with wildlife management goals and objectives, wildlife biologists need information on population trends. Population trends are ultimately determined by reproduction and survival rates, which this study is attempting to determine.

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.

There are only a few providers, who conduct aerial wildlife capture work that have the equipment and personnel with the expertise to capture moose in winter conditions in northern environments. The State of Maine does not have the specialized equipment or personnel with the expertise and time to conduct aerial capture work for moose.

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**.

Originally, the Provider was vetted and contracted under the UNH's competitive bidding process. Previously, UNH compared the costs of capturing moose between Native Range Capture Services (the Provider), Dragonfly Aviation, and Aerotech. Native Range submitted a bid of \$1090/animal, Dragonfly Aviation \$655, and Aerotech \$1890. UNH recognized that all companies met the basic criteria established in the bid request, but selection of Native Range was made principally after considering differences in the vendors' experience relative to the efficient, safe, and humane treatment of animals during capture. In addition, Native Range has the most experience working under the demanding environmental conditions confronted in northern Maine.

5. Future Competition

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

The Department will continue to evaluate providers of aerial capture services. Proficiency, safety, and year-to-year repeatability in animal handling techniques are key elements in MDIFW's study design for this moose study, and will remain primary factors in the Department's evaluation of capture service providers. The highest potential for new opportunities for another vendor to provide these services will occur with the initiation of a new study. Barring poor performance by the Provider, the Department would strive to achieve year-to-year consistency in animal capture techniques by using the same provider throughout the study.

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.

This multi-year moose study has been a cooperative venture between Maine, New Hampshire, and Vermont. Scientific studies strive to limit the variability in methods (e.g., capture techniques) across study areas and over time. Therefore, the Department must use similar capture methods to achieve comparable results. The procedure for isolating a moose for capture with a helicopter, the amount of time it takes to capture a moose, the way the moose is handled, and whether or not chemical immobilization drugs are used all affect the amount of stress an animal is put under. Stress must be controlled during capture events to prevent capture myopathy (i.e., severe stress from a capture event that is often fatal). The variance in the amount of stress moose will experience during capture is better controlled if only a single vendor is used to capture moose. We do not want to bias our study design by varying the physiological response of moose to capture by using a different aerial capture provider each year.

The University of New Hampshire chose Native Range because they have considerable experience capturing moose (over 1,000 moose captures) and because they offer their services at a very competitive price.

Native Range has considerable experience in working northern climates (e.g., Alaska, Montana, Oregon, North Dakota, Wyoming, Maine, New Hampshire, Vermont and Saskatchewan) while other capture services, e.g., Dragonfly Aviation, principally work in southern states/climates (i.e., Texas, Georgia, and Mexico). The winter conditions in northern Maine require crews experienced working in northern climates to execute safe and efficient captures.


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.


 Joseph Canuso
 9/16/19

Printed Name:

Date: