

**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:	Amelia Lyons	Office/Division/Program of Contract Administrator:	Department of Education
Est. Contract Amount:	\$ 19,342	Contract or RQS Number:	
Proposed Start Date:	10/1/19	Proposed End Date:	9/30/20
Vendor/Provider Name, City, State:		Research Foundation of SUNY Oneonta 108 Ravine Parkway Oneonta, NY 13820	
Short Description of Good or Service:		To provide technical assistance, coordination and other professional support services to assist the Preschool Initiative Consortium Incentive Grant (PI CIG).	
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.		To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>10/18/2019</u> To: <u>10/24/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 1020191746	
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.			
	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>	<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i> Signature:	
	Printed Name:	Date:	

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

X	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: 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.

Maine Department of Education, as a member of the nine state Preschool Initiative Consortium, has received grant award number [S144F160019] from the United States Department of Education for a project to assist states to effectively serve migrant preschool (PK) children. The purpose of the PI CIG is to address key national objectives to provide services based on scientifically-based research to improve the school readiness of preschool children whose education is interrupted, and to improve parental involvement in the education of their preschool children. The PI CIG will share information using innovative technology across all aspects of the project design and develop a clearinghouse for materials, strategies, and services that result in State capacity building and portability across States, districts, and participating organizations.

The Maine Department of Education is a member of the nine state Preschool Initiative Consortium. The nine PI CIG state education departments contributing funds to cover consortium activity costs

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

are: Colorado, Florida, Georgia, Idaho, Maine, Missouri, Oregon, Pennsylvania and Washington. Each state education department named is responsible for providing its share of the cost and if one of the states is unable to participate as previously indicated, the other states will work together to modify their contribution amounts to cover the remaining portion limited to the amount of funds provided through reallocation of funds from the non-participating state(s).

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 United States Department of Education, Office of Migrant Education, through the Consortium Incentive Grant, has identified the Research Foundation of SUNY Oneonta to be a leading expert in the field of migrant preschool students' education. There is not sufficient staffing, resources, or expertise in the Maine Department of Education to fully address what is needed in this grant.

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 costs associated with this Consortium Incentive Grant (CIG) are fair and reasonable, as compared to other CIGs and the dues owed. This CIG hires a coordinator, web-design support, IT support, and administrative positions to meet the needs of what is required of the grant.

5. Future Competition

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

If other organizations apply for and win the Consortium Incentive Grant that the Maine DOE has elected to participate in, there will be potential opportunities for those goods or services in the future.

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.

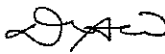
6. Uniqueness

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 services provided are unique to the Research Foundation of SUNY Oneonta because they are the recipients of the grant from the US DOE Office of Migrant Education. Their staff have expertise and vast experience working with migrant preschool students and service providers across the country.

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):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
	
Printed Name:	Daniel A. Chuhta
Date:	10/17/2019