

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:	Michael Sawyer	Office/Division/Program of Contract Administrator:	Safety Division
Est. Contract Amount:	Amendment for \$60,000.00	Contract or RQS Number:	09A 20170919*3956
Proposed Start Date:	June 7, 2017	Proposed End Date:	September 30, 2020
Vendor/Provider Name, City, State:	Kalkomey, 14086 Proton Rd, Dallas, TX 75244		
Short Description of Good or Service:	Online training for hunter education		
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 style="text-align: center;">To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>10/30/2019</u> To: <u>11/5/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 1020191804		
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;		

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	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.

The Department of Inland Fisheries & Wildlife (IFW) wishes to provide on line training for students in Hunter Education which is consistent with current printed materials that Maine and the Northeast states use for course delivery. Whereas IFW is mandated to provide education for beginning hunters and the general public often wishes to utilize electronic media to access training, we feel this is an important tool to provide for students. We feel this approach will expand opportunity for students to obtain training at their convenience.

The basis of Hunter Education in Maine, the Northeast and across the country are national standards which meet reciprocity for training and licensing of other states. Kalkomey Enterprises currently provides the student manual, home study workbook, and training materials for Maine's program as well as the other Northeast states. Their online program will provide a curriculum that is consistent with to the printed materials. All students will be required to complete a practical skills section regardless of study method - manual or online- and it is important that they be using the same basic curriculum and meet the national standards using consistent materials.

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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.

IFW has a limited staff to provide Hunter Education, most of which are part time, and thus relies heavily on volunteer instructors to provide training. The resources to develop online training would be very expensive and extensive and are well beyond the scope of capabilities of the Dept. and state government. Ongoing technical support would also need to be available to users on an extensive basis as well as reporting of participants and graduates which would require additional staffing. We are not aware of any other government resources that would be capable of providing the needed service.

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 program administrator has consulted with other states utilizing these services and the negotiated pricing is consistent with their costs. The per person fee we would pay would be reduced by the vendor due to the fact that they are a single source provider vs. having multiple providers.

5. Future Competition

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

The Department is currently developing an RFP to solicit these services in addition to paper print materials and a new records management system.

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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.

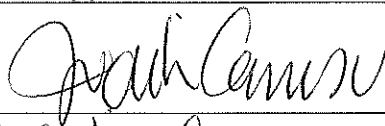
Kalkomey is a national vendor specializing in Hunter Education training and has the resources for development, product support and delivery, and record keeping that is required to provide a consistent product. They are a company that has a proven track record of efficient delivery of the requested product. This vendor's product will provide seamless integration of online training with the student manual, workbook, instructor materials and video which we now use.

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:

Joseph Camuso

Date:

10/23/19