

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:	Justin L. Poirier	Office/Division/Program of Contract Administrator:	Property Tax Division				
Est. Contract Amount:	\$8,000	Contract or RQS Number:					
Proposed Start Date:	05/20/2020	Proposed End Date:	05/22/2020				
Vendor/Provider Name, City, State:	Rick Stuart, CAE, TEAM Consulting, LLC, 3533 SW Randolph Ave., Topeka, KS 66611						
Short Description of Good or Service:	Advanced professional development courses for property tax assessors.						
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>10/31/2019</u> To: <u>11/6/2019</u></p>						
Notice of Intent to Waive Competitive Bidding Number:	NOI# 1020191814						
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>	<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i> Signature: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Printed Name:</td> <td style="width: 50%; border: none;">Date:</td> </tr> <tr> <td style="border: none; height: 40px;"></td> <td style="border: none; height: 40px;"></td> </tr> </table>		Printed Name:	Date:		
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.

MRS Rule 205 – Certification of Assessors provides for advanced certification levels for municipal assessors. Maine Revenue Services is charged with training municipal assessors and it does this primarily through three major training programs the Maine Property Tax School, the Property Tax Institute and a week-long course offering in southern Maine. This waiver is requested to purchase the necessary materials such as the books and examples required for these proprietary courses as well as instruction fees and expenses.

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.

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The materials for TEAM Consulting, LLC and Rick Stuart's courses are owned by TEAM Consulting, LLC and Rick Stuart and are proprietary and cannot be purchased from another source.

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**.

Maine Revenue Services regularly hosts courses like this one and the course fees, instructor honorarium and materials fees are in line with similar courses.

5. Future Competition

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

Some courses like those within the TEAM Consulting, LLC and Rick Stuart's educational portfolio are available from other sources, and if they are selected by our partner organizations for inclusion in our future events we will consider them at that time.

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.

TEAM Consulting, LLC is a group of assessment and appraisal experts who offer a wide range of professional services to government and industry. TEAM's mission is to enable new technologies and innovative ideas that improve assessment administration and property valuation processes to benefit both clients and taxpayers.

Rick Stuart, senior IAAO instructor, teaches and develops courses and workshops on appraisal, public relations/customer service and management. Mr. Stuart holds the CAE (Certified Assessment Evaluator) designation from the International Association of Assessing Officers (IAAO) and has been the recipient of several IAAO awards. In addition to instructing IAAO courses, workshops and one-day forums, he has authored and co-authored many proprietary workshops and one-day forums relevant to issues Maine assessors face on a regular basis. Developing courses from scratch would be extremely time consuming and expensive.

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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:	Richard B. Thompson, Jr.
Date:	10/24/2019