

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:	David Richmond	Office/Division/Program of Contract Administrator:	DVEM, MBVS
Est. Contract Amount:	\$ 331,332.10	Contract or RQS Number:	CT 15A 20151201*1956
Proposed Start Date:	1/1/2016	Proposed End Date:	1/1/2022
Vendor/Provider Name, City, State:	Leidos Digital Solutions, Inc., formerly contracted as Lockheed Martin Desktop Solutions, Inc., Fairfax, VA 29040 Network Place, Chicago, IL 60673-1290		
Short Description of Good or Service:	<p>Renewal of (43) software licenses for Internet Quorum (IQ) Cloud, which is hosted in Gov Cloud that is FEDRAMP certified, for State and Local Government & customization hours for Project Management and Help Desk Support.</p> <p>This includes a 2-year extension to the contract at \$49,815.74 in year 1 and \$49,934.98 in year 2 for a total increase to the contract of \$99,750.72 to \$331,232.10.</p>		
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>11/14/2019</u> To: <u>11/21/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 1120191877		
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</i>	<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i>	
		Signature:	

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<i>requesting Department's Commissioner or Chief Executive (as the Governor's "designee") sign and date on the right.</i>	Printed Name:	Date:
X	<p>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;</p>	
	<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: http://www.maine.gov/purchases/info/forms/govcoop.doc.</i></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>	
<p>Please note that the following four points below (#2 through 5) <u>all</u> require a response.</p>		
<p>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.</p>		
<p>The Bureau currently holds 43 Internet Quorum licenses that are due to expire on 1/1/2020. This renewal will prevent a lapse in system accessibility and affect or customer service abilities.</p>		

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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.

The Bureau is currently licensed for thirty-three (43) users and uses the Case Management System as to provide additional tools for Outreach services to include but not limited to newsletters.

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 renewal rate for subscriptions for calendar year 2020 and 2021 will be at the same annual rate of \$1020.00 for 43 licenses totaling \$38,760.00. This is a per user fee and the original contract allowed for renewals up to 10 years if subscription rate remained the same. The Project Management and Help Desk Support rates were increased to \$186.13/\$189.86 and \$148.89/\$151.87 per hour respectively per original contract for cost of living adjustments.

5. Future Competition

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

We continue the migration of the bureau's Access databases and digital archives into one system, to maintain and improve efficiencies. All employees need access to view and update the IQ case management system. Continuation of licenses is needed to meet daily work objectives.

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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.

We have been working with IQ technical people to develop our IQ cloud-based case management system. The process created one database to replace our old problematic Access databases. We need to continue to allow access for all of our staff. The Project Management and Help Desk Support will continue to produce newsletters generated from IQ will greatly broaden our outreach capabilities. We also will continue data migration and pursue data sharing options from other agencies.

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.

Current licenses are to expire on 1/1/2020 so the renewal will prevent a lapse in accessibility and customer service.

<p>Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):</p>	<p><i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i></p>
<p>Printed Name:</p>	<p>DocuSigned by: <i>Scott A Young</i> <small>8EDC934F194048D...</small></p>
<p>Date:</p>	<p>Scott A. Young, Deputy Commissioner 12 November 2019</p>