

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:	Hannah Collins	Office/Division/Program of Contract Administrator:	DECD/Maine Office of Tourism
Est. Contract Amount:	\$166,900.00	Contract or RQS Number:	20191122*1678
Proposed Start Date:	12/17/2019	Proposed End Date:	06/30/2020
Vendor/Provider Name, City, State:	Spring Line Group, LLC 194 Ashmont Street Portland, ME 04103		
Short Description of Good or Service:	Management of cruise marketing, coordination and outreach		
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>12/5/2019</u> To: <u>12/11/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 1220191973		
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.

Cruise Tourism is an important market segment to the state of Maine. More than 400,000 cruise visitors spent a total of \$29 million in the state during the 2018 cruise season. When coupled with indirect (induced) spending, cruise visitor spending generates at least \$33 million in overall economic impact, supports almost 400 jobs, and provides \$1.7 million in tax revenue for Maine.

In December 2017, The management of the CruiseMaine Coalition was transferred to the Maine Office of Tourism in the Department of Economic & Community Development, at which time the MOT established a new mission, vision and governance structure for the CruiseMaine Coalition.

Since 2017, the CruiseMaine Coalition has been successfully managed through the services of Soli DG, employee, Sarah Flink. Sarah Flink has successfully managed and executed the elements outlined in the scope of work of the contract held with Soli DG. The MOT met with SoliDG in October and it was decided that SoliDG would withdraw from managing the CruiseMaine contract to focus on their core competencies. SoliDG has submitted a letter to the MOT withdrawing from the contract effective November 30, 2019. Following this notification, Sarah Flink has established Spring Line Group, LLC, in order to complete the tasks outlined in the original scope of work and see to the completion of time sensitive projects as outlined in the scope of services until the end of the original

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contract expiration date of June 30, 2020. With 7 months left in the contract term, the MOT wishes to hire Sarah Flink to manage CruiseMaine. Sarah has been managing this contract for the past 2 years and has the knowledge and relationships to continue the work until the MOT can complete a competitive bid process for fiscal year 2021.

The MOT/DECD feels that Sarah Flink is the sole source with the knowledge, relationships and ability to carry out the scope of services in the original contract with Soli DG.

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 is no other entity in local, state, or the federal government that is responsible for managing and coordinating cruise tourism within the State of Maine, and the DECD-MOT has been authorized to manage these services.

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 cost/time it would require of the DECD/MOT to initiate a search for similar services is greater than the time left (January 1-June 30, 2020) of the previous CruiseMaine contract. Because of the controversial nature of cruise tourism in the state of Maine, and the importance of building and maintaining relationships within Maine's port communities, any delays and/or abrupt stops or allowing the management and current projects of CruiseMaine to lay dormant would negatively affect the CruiseMaine Coalition's forward momentum, as well as Maine cruise tourism stakeholders, town, municipal and community relationships. The cost to finish out the scope of services outlined the previous contract with Soli DG is fair and reasonable, as it will not increase with the transfer of services to Springline Group, LLC.

5. Future Competition

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

The MOT will put the CruiseMaine services out to competitive bid in the early part of calendar year 2020 with the intent to initiate a new contract beginning July 1, 2020 for FY2021.

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.

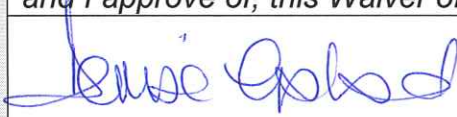
Qualifications-

Sarah Flink has received the PR and Communications Training conducted with the MOT Agency of Record so that interactions between CruiseMaine, the Maine Office of Tourism and other state agencies are all in alignment. Sarah Flink was also the lead in the development and execution of a

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communications plan for CruiseMaine in coordination with the MOT and DECD.
 Abilities –
 During the past 2 years Sarah Flink has established relationships and contacts within Maine communities to move the mission of CruiseMaine forward: the promotion, education and support of Maine communities seeking sustainable cruise ship tourism, infrastructure investment, and economic and destination development as well as the relationships and connections needed within the cruise industry to effectively communicate the mission and goals of CruiseMaine and its port communities. Sarah also serves on the Bar Harbor Cruise Committee and the Cruise Canada New England Executive Committee and possesses the skills and knowledge of Maine’s ports communities needed to successfully attend crucial, time sensitive community and industry events and meetings.

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:	Denise Garland
Date:	12-4-19