

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.

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| Requesting Department's Contract Administrator: | Lee Anne Larsen | Office/Division/Program of Contract Administrator: | Maine DOE Learning Systems/Standards and Instruction |
| Est. Contract Amount: | \$ Various—see attached | Contract or RQS Number: | Various—see attached |
| Proposed Start Date: | 1/1/2020 | Proposed End Date: | 06/30/2020 |
| Vendor/Provider Name, City, State: | Various Vendors (Per Attached) | | |
| Short Description of Good or Service: | Curriculum development and curriculum coaching support for the K for ME curriculum pilot. | | |
| 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 <i>Procurement Services</i> website: From: <u>12/11/2019</u> To: <u>12/17/2019</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | NOI# 1220192016 | | |
| 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: |
| | 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. | |
| X | If a different authorization specifically allows for this non-competitive procurement, please provide that reference here: | The providers are specified in an approved/awarded federal grant application. |

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 Maine Department of Education (DOE) applied for and received a supplemental Preschool Expansion Grant from the U.S. Education Department (USED). Receipt of the grant award enabled the Maine DOE begin development and pilot of a content integrated Kindergarten curriculum, K for ME between July 2019 and December 2019. Initial funding for the curriculum development and pilot will expire on 12/31/19. A new source of grant funding was secured to complete curriculum development and pilot implementation between 1/1/2020 and 6/30/2020. Contracts associated with the curriculum development and pilot implementation need to be extended through 6/30/2020 to complete the work. To maintain consistency with curriculum development and coaching support, this work must be completed with the named contractors and subgrantees.

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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Since the curriculum development and pilot are already in process, it is imperative that the Maine DOE continue with the same vendors to complete the project.

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 Maine DOE developed the budget for the K for ME pilot based on its approved Preschool Expansion Grant. Budgets associated with the proposed contract amendments utilize the same cost structure originally used for the first half of the project.

5. Future Competition

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

The grant funding to support the K for ME curriculum development and pilot project ends on 6/30/2020. At that point, the curriculum development and pilot will be completed.

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

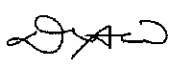
Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary data, also explain the necessity of these particular unique assets.

The Maine DOE started the K for ME curriculum development and pilot process in July of 2019. Amendments to the vendor/subgrantee contracts is intended to maintain the consistency of developer and coaching support. The curriculum is being adapted from a curriculum developed by the Boston Public Schools. The curriculum developer contracted to work with the Maine DOE is based in the Boston Public Schools and has the unique knowledge to inform Maine’s development process.

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.

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| 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 Chuhta, Deputy Commissioner |
| Date: | 12/5/2019 |

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DEPARTMENT OF EDUCATION—K for ME Pilot

| CT# | Provider | Agreement Amount | Amount Amended | Total Amount |
|---------------|----------|------------------|----------------|--------------|
| 20190410*2886 | RSU 17 | \$60,000.00 | \$5,855.00 | \$65,855.00 |
| 20190404*2817 | RSU 23 | \$58,785.00 | \$600.00 | \$59385.00 |

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| 20190403*2799 | RSU 57 | \$79,820.00 | \$5,855.00 | \$85,675.00 |
| 20190404*2809 | MSAD 11 | \$48,000.00 | \$600.00 | \$48,600.00 |
| 20190404*2831 | MSAD 49 | \$50,000.00 | \$600.00 | \$50,600.00 |
| 20190524*3581 | MSAD 54 | \$7,757.00 | \$8,700.00 | \$16,457.00 |
| 20190607*3749 | Catherine Marchant | \$8,504.00 | \$8,310.00 | \$16,814.00 |
| 20180320*2715 | Boston Education Development Foundation | \$87,504.72 | \$12,723.98 | \$100,228.70 |
| | | \$400,370.72 | \$43,243.00 | \$443,613.72 |

Certificate Of Completion

Envelope Id: 3AE8BCD0AA5040F4843B7094738B8527
 Subject: Please DocuSign This Document
 Source Envelope:
 Document Pages: 5
 Certificate Pages: 1
 AutoNav: Enabled
 Envelope Stamping: Disabled
 Time Zone: (UTC-05:00) Eastern Time (US & Canada)

Status: Completed

Envelope Originator:
 Daniel A. Chuhta
 Daniel.Chuhta@maine.gov
 IP Address: 185.81.101.11


Record Tracking

| | | |
|---|---|--------------------|
| Status: Original 12/5/2019 11:14:58 AM | Holder: Daniel A. Chuhta Daniel.Chuhta@maine.gov | Location: DocuSign |
| Security Appliance Status: Connected | Pool: StateLocal | |
| Storage Appliance Status: Connected | Pool: Carahsoft OBO Maine Department of Education | Location: DocuSign |

Signer Events

Daniel A. Chuhta
 Daniel.Chuhta@maine.gov
 Deputy Commissioner
 Maine Department of Education
 Security Level: Email, Account Authentication (None)

Signature


 Signature Adoption: Uploaded Signature Image
 Using IP Address: 198.182.163.102

Timestamp

Sent: 12/5/2019 11:15:00 AM
 Viewed: 12/5/2019 11:15:19 AM
 Signed: 12/5/2019 11:16:18 AM
 Freeform Signing

Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

| | | |
|---------------------|------------------|-----------------------|
| Envelope Sent | Hashed/Encrypted | 12/5/2019 11:15:00 AM |
| Certified Delivered | Security Checked | 12/5/2019 11:15:19 AM |
| Signing Complete | Security Checked | 12/5/2019 11:16:18 AM |
| Completed | Security Checked | 12/5/2019 11:16:18 AM |

Payment Events

Status

Timestamps