



Purchasing Use Only:	
Approval#:	160603

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

ALL FIELDS ARE REQUIRED – INCOMPLETE REQUESTS WILL BE RETURNED TO THE AGENCY

1a	Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:		
	State Agency:		
	Contact Name and Title	Phone Number	Email Address
	Walter Cuneo	775-687-6864	wlcuneo@nvdetr.org

1b	Vendor Information:	
	Identify Vendor:	Nevada Broadcasters Association(NBA)
	Contact Name:	Eric Bonnici
	Address:	3900 Paradise Rd, Suite 279 Las Vegas, NV 89169
	Telephone Number:	702-794-4994
Email Address:	eric@nevadabroadcasters.org	

1c	Type of Waiver Requested – Check the appropriate type:	
	Sole or Single Source:	Sole
	Professional Service Exemption:	

1d	Contract Information:		
	Is this a new Contract?	Yes	No <input checked="" type="checkbox"/>
	Amendment:	#1	
	CETS:	#15914	

1e	Term:				
	One (1) Time Purchase:				
	Contract: <input checked="" type="checkbox"/>	Start Date:	07/01/2016	End Date:	06/30/2018

1f	Funding:	
	State Appropriated:	21.30%
	Federal Funds:	78.70%
	Grant Funds:	
	Other (Explain):	

1g	Total Estimated Value of this Amendment:
	\$0.00

2	Provide a description of work/services to be performed or commodity/good to be purchased:
	<i>Radio and/or television public service advertisements to promote vocational rehabilitation services and supports to and for people with disabilities in the community.</i>

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	<i>NBA provides Non-Commercial Sustaining Announcements (NCSAs) pursuant to rules and regulations promulgated by the Federal Communications Commission (FCC) which allow them to provide \$4.00 worth of airtime for \$1.00 charged to the purchasing agency. Other entities do not have the ability to provide NCSAs.</i>

4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
	<i>The agency believes it to be in both the State's best interest and that of the public to utilize this vendor due to the confirmed reduction in rates for public radio airtime (\$4.00 worth of airtime charged at \$1.00 to the agency).— See Attachment A."</i>

5	Were alternative services or commodities evaluated? Check One.	Yes:	<input type="checkbox"/>	No:	<input checked="" type="checkbox"/>
	a. <i>If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.</i>				
	b. <i>If not, why were alternatives not evaluated?</i>				
	<i>The agency believes it to be in both the State's best interest and that of the public to utilize this vendor due to the confirmed reduction in rates for public radio airtime (\$4.00 worth of airtime charged at \$1.00 to the agency). The Rehabilitation Division would lose a prime and proven method to reach employers and job seekers with disabilities regarding the benefits available to them through the services of the Division. Alternatively, the Division would pay 4x as much (or receive ¼ of the airtime) if required to use another vendor.— See Attachment "A".</i>				

6	Has the agency purchased this service or commodity in the past? Check One. Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of ALL previous waivers MUST accompany this request.			Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
	a. <i>If yes, starting with the most recent contract and working backward, for the entire relationship with this vendor, or any other vendor for this service or commodity, please provide the following information:</i>						
	<i>Term Start and End Dates</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP, RFQ, Waiver #)</i>		
	<i>03/13/12</i>	<i>06/30/14</i>	<i>\$133,000.00</i>	<i>Services as indicated in box 2 of this form. The term of the previous contract included 2 amendments to extend time and</i>	<i>Solicitation Waiver</i>		

				<i>increase funds due to continuing need for these services.</i>	
	09/09/14	06/30/16	\$38,000.00	<i>Radio and/or television public service announcements to promote employment opportunities for Nevadans with disabilities and to offer assistance to employers in making reasonable accommodations to applicants/employees with disabilities.</i>	<i>Solicitation Waiver</i>

7	<p>What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?</p> <p><i>The Rehabilitation Division would lose a prime and proven method to reach employers and job seekers with disabilities regarding the benefits available to them through the services of the Division. Alternatively, the Division would pay 4x as much (or receive 1/4 of the airtime) if required to use another vendor.- See Attachment "A".</i></p>
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8	<p>What efforts were made or conducted to substantiate there is no competition for the service or good and to ensure the price for this purchase is fair and reasonable?</p> <p><i>The agency believes it to be in both the State's best interest and that of the public to utilize this vendor due to the confirmed reduction in rates for public radio airtime (\$4.00 worth of airtime charged at \$1.00 to the agency).</i></p>
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9	<p>Will this purchase obligate the State to this vendor for future purchases? Check One.</p> <p>Yes: <input type="checkbox"/> X <input checked="" type="checkbox"/> No: <input type="checkbox"/></p>
	<p>a. <i>If yes, please provide details regarding future obligations or needs.</i></p> <p><i>The agency believes it to be in both the State's best interest and that of the public to continue these services with this vendor, provided continuation of this reduced airtime rate.</i></p>

By signing below, I know and understand the contents of this Solicitation Waiver Request and Justification and attest that all statements are true and correct.

Mechelle Merrill 5-25-16
Agency Representative Initiating Request

Mechelle Merrill, Bureau Chief
Print Name of Agency Representative Initiating Request Date

Shelley Hendren
Signature of Agency Head Authorizing Request

Shelley Hendren, Administrator
Print Name of Agency Head Authorizing Request Date 5-26-16

PLEASE NOTE: In an effort to avoid possible conflict with any equipment, system or process already installed or in place by the State of Nevada or to assist in our due diligence, State Purchasing may solicit a review of your request from another agency or entity. The signature below indicates another agency or entity has reviewed the information you provided. **This signature does not exempt your agency from any other processes that may be required.**

Name of agency or entity who provided information or review:

N/A

Representative Providing Review

Print Name of Representative Providing Review Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150(2)(a)(b)(c), NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 284.173(6), contracts for services do not become effective without the prior approval of the State Board of Examiners (BOE).

If you have any questions or concerns please contact the Purchasing Division at 775-684-0170.

Signed: [Signature]
Administrator, Purchasing Division or Designee Date 6-29-2016

NCSA Program

NCSA programs have been in existence since 1962, and are endorsed by numerous governors, state agencies and the federal government. Over 40 state broadcasters associations are running NCSA programs.

NCSA: Non-Commercial Sustaining Announcement

In virtually every state, broadcasters donate unsold airtime to their state broadcasters' associations, which in turn make that airtime available to nonprofits and government agencies—which would never be commercial advertisers—so that they can conduct more effective outreach than by conventional Public Service Announcements (PSA).

An NCSA is a hybrid between a public service announcement and a regular commercial advertisement designed to assist states and non-profits with broad based public awareness campaigns. NCSAs are handled like commercial messages in that the sponsor receives affidavits indicating when the messages ran and the value of the airtime. NCSAs are broadcast between 6am and midnight, unlike PSAs, which often air when audiences are smaller, and are usually unavailable during the peak retail periods before Memorial Day and Christmas.

NCSAs Assist States, Government Agencies, and Non-Profit Organizations

The FCC and the IRS have afforded the NCSA program "special status" to promote their use by government agencies and non-profit organizations because they are so valuable in promoting public awareness. If this sounds too good to be true, there's a catch: the availability of NCSA inventory is very limited. Broadcasters donate unsold airtime, and the broadcasters' association cannot compete with our member stations for paid advertising dollars. Instead, we encourage the state and non-profits to buy paid, targeted advertising whenever appropriate – as in the case of anti-smoking messages, which are most effectively run during the TV shows that teenagers watch (that kind of targeted media must be purchased). The NCSA program is restricted to non-commercial messages.

When are NCSAs Best Used?

NCSAs are most appropriate for public awareness of issues that cut across all demographics, where there is insufficient budget to cover the state or region adequately with paid advertising. Under the right circumstances, an NCSA campaign administered by the Nevada Broadcasters Association can deliver the "biggest bang for the buck" for a state government agency or non-profit's investment.

Here's how an NCSA program works

A state or federal government agency or a non-profit organization gives the broadcasters' association a grant to promote a specific program that can be targeted statewide or regionally. In return, that agency is guaranteed airtime worth 4-5 times the value of their investment.