

State of Nevada
Department of Administration

Purchasing Division

515 E. Musser Street, Suite 300
Carson City, NV 89701



Brian Sandoval
Governor

Patrick Cates
Director

Jeffrey Haag
Administrator

Purchasing Use Only:	
Approval#:	180501

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: <i>Nevada Division of State Lands/ Nevada Tahoe Resource Team (NTRT)</i>		
	Contact Name and Title	Phone Number	Email Address
	<i>Mark Enders, wildlife biologist/NTRT</i>	<i>(775) 684-2742</i>	<i>menders@ndow.org</i>

Vendor Information:	
1b	Identify Vendor: <i>Tahoe Institute for Natural Science</i>
	Contact Name: <i>Will Richardson</i>
	Address: <i>948 Incline Way, Incline Village, NV, 89451</i>
	Telephone Number: <i>(775) 298-0060</i>
	Email Address: <i>will @tinsweb.org</i>

1c	Type of Waiver Requested – Check the appropriate type:	
	Sole or Single Source:	<input checked="" type="checkbox"/>
	Professional Service Exemption:	

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

1e	Term:			
	One (1) Time Purchase:			
	Contract:	Start Date:	<i>May 15, 2018</i>	End Date: <i>May 30, 2021</i>

1f	Funding:	
	State Appropriated:	
	Federal Funds:	
	Grant Funds:	
	Other (Explain):	<i>Tahoe Bonds</i>

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
	<i>\$49,900.00</i>

2	<p>Provide a description of work/services to be performed or commodity/good to be purchased:</p> <p><i>This purpose of this contract is for Tahoe Institute for Natural Science to perform a three-year study on the effects of white satin moth infestations on bird communities at Lake Tahoe. This invasive moth species has caused significant aspen defoliation and mortality in Lake Tahoe Nevada State Park since the early 2010s, and this project will be the first to document impacts to bird communities that rely on aspen habitats at Lake Tahoe. Field work will be performed for three years at eight separate Lake Tahoe locations: Fountain Place, Glenbrook Creek, Logan House Creek, Marlette Lake, North Canyon, Secret Harbor Creek, Tunnel Creek, and Ward Canyon. Point-count bird surveys will be conducted three times per year at each location, and aspen habitat assessments will be conducted once per year to quantify which major structural characteristics have a logical relationship with bird abundance and diversity. Upon completion of all field work, statistical analyses will be performed to engender useful estimates of bird abundance, species richness, habitat relationships, and satin moth effects, and a final report containing all relevant conclusions will be submitted.</i></p>
---	---

3	<p>What are the unique features/qualifications required for this service or good that are not available from any other vendor:</p> <p><i>The principal contact for Tahoe Institute for Natural Science, Dr. Will Richardson, has been conducting point-count bird surveys in aspen stands at Lake Tahoe since 2002. Much of these data were collected from parts of Lake Tahoe Nevada State Park prior to the moth infestation, and represent “pre-infestation” data. This type of “pre-infestation” data is an essential baseline with which to compare bird data that will be collected under this proposed contract, and his intimate knowledge of the methods, locations, and intricacies of the previously-collected data makes Dr. Richardson uniquely qualified for this contract. In wildlife biology, having the same researcher conduct surveys over time is beneficial for data continuity, and minimizes bias that could be introduced by somebody unfamiliar with the methods that were originally used or by somebody with a different ability to identify bird species by sight and sound. There is nobody more qualified to conduct this study than Dr. Richardson. He is the foremost expert on bird communities in aspen stands in the Sierra Nevada; his Ph.D. dissertation, published in 2007 at the University of Nevada, Reno, was titled, “Avian use, nest-site selection, and nesting success in Sierra Nevada aspen.” In addition to his unparalleled familiarity with bird ecology at Lake Tahoe, Dr. Richardson is also uniquely qualified for this contract because he is committing approximately 35 days per summer field season to this single project for the next three years, which is a time commitment unlikely to be met by any other vendor.</i></p>
---	---

4	<p>Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:</p> <p><i>This service cannot be competitively bid because a robust comparison of bird communities from before and after white satin moths appeared at Lake Tahoe is dependent on the vendor possessing an adequate knowledge of bird ecology in Lake Tahoe’s aspen habitats. Dr. Richardson’s skill set and experience will give him the best opportunity to draw meaningful conclusions about the satin moth’s impacts to bird communities at Lake Tahoe, and will give the state of Nevada the best opportunity to make appropriate management decisions in infested areas of Lake Tahoe Nevada State Park.</i></p>
---	--

5	<p>Were alternative services or commodities evaluated? Check One. Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p>
	<p>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></p>
	<p>b. <i>If not, why were alternatives not evaluated?</i></p>

No alternatives were thoroughly evaluated because no other vendor possesses abundant, standardized bird data from aspen communities on the east shore of Lake Tahoe, including Lake Tahoe Nevada State Park, prior to the arrival of white satin moths.

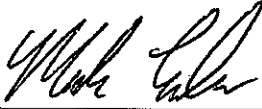
6	Has the agency purchased this service or commodity in the past? Check One. Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of <u>ALL</u> previous waivers <u>MUST</u> accompany this request.			Yes:	No:	X
	a. <i>If yes, starting with the most recent contract and working backward, for the entire relationship with this vendor, or any other vendor for this service or commodity, please provide the following information:</i>					
	Term	Value	Short Description	Type of Procurement		
	Start and End Dates			(RFP#, RFQ#, Waiver #)		
		\$				
		\$				

7	What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
	<i>If the waiver request is denied, the immediate consequence would be that project initiation would be delayed until 2019. It is imperative that the project commence in 2018 in order to collect bird data following the devastating aspen defoliation that occurred in 2017. A subsequent consequence could arise if the vendor's interest in the project wanes due to the extra processes, which could lead to a cancellation of the project altogether, although this subsequent consequence is only hypothetical.</i>

8	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?
	<i>The biological community at Lake Tahoe is relatively small, and Nevada Department of Wildlife biologists are aware of most wildlife monitoring activities at Lake Tahoe. To our personal knowledge, there is no other vendor that possesses the skill set and experience that is necessary to conduct this study. Moreover, the current contract amount of \$49,900 for a three-year study, to be completed by one of the region's best bird experts, is most definitely fair and reasonable (based on personal experience).</i>

9	Will this purchase obligate the State to this vendor for future purchases? <u>Before selecting your answer, please review information included on Page 2, Section 9 of the instructions.</u>			Yes:	No:	X
	a. <i>If yes, please provide details regarding future obligations or needs.</i>					

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.



Agency Representative Initiating Request

Mark Enders

Print Name of Agency Representative Initiating Request

5/1/2018

Date



Signature of Agency Head Authorizing Request

Charles Donohue Administrator

Print Name of Agency Head Authorizing Request

5/1/18

Date

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:

Representative Providing Review

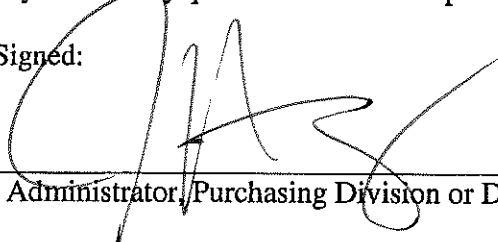
Print Name of Representative Providing Review

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:



Administrator, Purchasing Division or Designee

5-5-2018

Date