

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 Hang  
 Administrator

<b>Purchasing Use Only:</b>	
Approval#:	180609

**SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM**

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

<b>Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:</b>			
<b>State Agency:</b>		<i>Aging and Disability Services Division</i>	
<b>1a</b>	<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	<i>Kim Harney-Moore, Director Nevada Senior Medicare Patrol Aging and Disability Services Division</i>	<i>(702) 486-4323</i>	<i>kkharneymoore@adsd.nv.gov</i>
	<i>Lisa Tuttle, Contract Manager</i>	<i>(775) 687-0532</i>	<i>lrtuttle@adsd.nv.gov</i>

<b>Vendor Information:</b>	
<b>Identify Vendor:</b>	<i>Nevada Broadcasters Association</i>
<b>Contact Name:</b>	<i>Eric Bonnici, Director of Sales and Marketing</i>
<b>Address:</b>	<i>3900 Paradise Rd., Ste. 279, Las Vegas, NV 89169</i>
<b>Telephone Number:</b>	<i>(702) 794-4994</i>
<b>Email Address:</b>	<i>eric@nevadabroadcasters.org</i>

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

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

<b>1e Term:</b>			
<b>One (1) Time Purchase:</b>			
<b>Contract:</b>	<b>Start Date:</b>	<i>Upon Approval</i>	<b>End Date:</b>
			<i>May 31 2021</i>

<b>1f Funding:</b>	
<b>State Appropriated:</b>	
<b>Federal Funds:</b>	
<b>Grant Funds:</b>	<i>Federal Grant #90MPPG0047</i>
<b>Other (Explain):</b>	

1g	<b>Total Estimated Value of this Service Contract, Amendment or Purchase:</b> \$15,000.00
----	--

2	<p><b>Provide a description of work/services to be performed or commodity/good to be purchased:</b>  <i>The unique requirements of our grant(s) are to expand the volunteer capacity for the Nevada Senior Medicare Patrol (NVSMP) program and enhance the program throughout the State of Nevada. The contractor will assist NVSMP the Aging and Disability Services Division (ADSD) in the creation and production of Non-Sustaining Commercial Announcements (NSCAs) for a statewide radio campaign. In addition, Nevada Broadcasters Association (NVBA) will facilitate the NVSMP in disseminating the federal government's "Stop Medicare Fraud" campaign with emphasis on reaching rural and other hard-to-reach areas of the state, as well as Spanish-speaking persons in the programs' effort to prevent Medicare fraud and recruit volunteers in those areas to work with the program.</i></p>
---	--

3	<p><b>What are the unique features/qualifications required for this service or good that are not available from any other vendor:</b>  <i>NVSMP staff lack the expertise and the required studio and equipment to provide these services. The NVBA is a non-profit entity which works in association with the National Broadcasters Association. The NVBA has unique access, information, skill, and abilities that are unavailable via any for-profit organization or any Nevada entity.</i></p>
---	---

4	<p><b>Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:</b>  <i>The NVBA is a non-profit organization willing to provide a substantial portion of their services free of charge, i.e., production, talent and an in-kind contribution of 5 free NSCAs (announcements) to I paid to the NV SMP program. There is no other entity available to do this.</i></p>
---	---

5	<b>Were alternative services or commodities evaluated? Check One.</b>	Yes:	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>NVBA is the only broadcaster's association in the Nevada.</i>			

6	<p><b>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.</b></p>	Yes:	<input checked="" type="checkbox"/>	No:	
	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 Start and End Dates		Value	Short Description	Type of Procurement (RFP#, RFQ#, Waiver #)
	09/01/15	06/30/18	\$25,000.00	Non-Sustaining Commercial Announcements	Waiver #150705
	04/01/15	05/31/15	\$3,000.00	Non-Sustaining Commercial Announcements	Waiver #150105
	05/01/14	06/30/14	\$4,861.00	Non-Sustaining Commercial Announcements	Waiver #140401
	05/14/13	06/15/13	\$3,000.00	Non-Sustaining Commercial Announcements	Waiver #130503
	03/13/12	05/31/12	\$15,000.00	Non-Sustaining Commercial Announcements	Waiver #120103
	03/13/12	09/29/12	\$50,000.00	Non-Sustaining Commercial Announcements	Waiver #120103

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 NVSMP is not able to pay full price for the purchase of production and air time to promote the program via radio spots. Therefore, we will fail to reach a significant number of Nevada residents with the Medicare fraud prevention message and will not comply with the terms of our Cooperative Agreement with Administration for Community Living.</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 NVBA is the only broadcaster's association in Nevada and the only organization with the capability to broadcast statewide. NVSMP has prior experience with the NVBA with excellent and professional results.</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.

Kim Harney-Moore  
Agency Representative Initiating Request

Kim Harney-Moore, Nevada SMP Director  
Print Name of Agency Representative Initiating Request

6-27-18  
Date

Dena Schmidt  
Signature of Agency Head Authorizing Request

6/27/18

Dena Schmidt, Aging & Disability Services  
Print Name of Agency Head Authorizing Request

Division 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:

[Signature]

\_\_\_\_\_  
Administrator, Purchasing Division or Designee

6-29-2018  
Date