

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.

DHHS/DCM Contract Administrator:	Chris Moiles / Jennifer Levesque	Office/Division/Program of Contract Administrator:	Maine CDC / Maternal and Child Health
Est. Contract Amount:	\$467,500.00	Contract or RQS Number:	CT 10A 20191003*1176
		Purchasing Maine ID:	
		DHHS Agreement Number:	CD0-20-4220
Proposed Start Date:	10/15/2019	Proposed End Date:	6/30/2021
Vendor/Provider Name, City, State	Acadia Healthcare, Inc. Brewer, ME		
Short Description of Good or Service:	Pediatric Access Enhancement Services		
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 Procurement Services website: From: <u>2/14/2020</u> To: <u>2/20/2020</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0220200131	
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;		
	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:	Unique – Grant Partner	

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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.

Maine ranked 21st for overall health of women and children in 2016 according to America's Health Rankings. The National Survey of Children's Health National Outcome Measure for the MCH Block Grant, 47.8% of children, ages 3 through 17, with a mental/behavioral condition needed treatment, but did not receive it. The Maine CDC was recently awarded the Pediatric Mental Health Access Program grant from HRSA to increase access to behavioral health care by expanding the ability of pediatric primary and specialty care providers to detect, assess, treat and refer children with behavioral health disorders.

The grant application required the Department to name the contractors they would work and were required to include the contractor's credentials. This vendor was named in the grant application as a partner and provided a letter of commitment to participate in the grant.

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.

The Department does not have sufficient staffing, resources or expertise to do the work. This work entails building capacity and infrastructure within healthcare providers to increase access to behavioral healthcare for children.

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**.

Much of this grant is allotted to staff time to build infrastructure. The provider's award was based on actual staff time costs and materials needed to complete the deliverables in the contract

5. Future Competition

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

The Federal Notice of Funding Opportunity, HRSA-19-096, required the Department to: Identify meaningful support, collaboration, and coordination with key stakeholders in planning, designing and implementing all activities, including development of the application. Describe the level of readiness of your organization and your expected partners' organizations, to work together to achieve project goals and expectations. Letters of agreement, memoranda of understanding, and/or description(s) of proposed/existing contracts (project/specific) are required.

Therefore, the Department does not intent to competitively bid these services.

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.

This vendor houses an Integrated Behavioral Health program, which is consultative and designed to maximize patient and provider access to behavioral health expertise within outpatient medical practices. They use on-site/telehealth experts and whose primary functions include Licensed Clinical Social Workers (LCSW) that provide mental health diagnostic clarification, evidence-based behavioral therapy for mental health and substance use, individual and group

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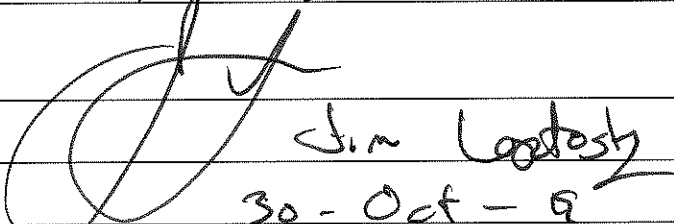
therapy, advance directives educational sessions and Psychiatric Mental Health Nurse Practitioners (PMHNP's) who provide mental health diagnostic clarification, psychiatric assessment, prescribing and monitoring psychiatric medications, treating behavioral complications of medical diagnoses and treatment.

The Pediatric Mental Health Care Access Grant requires the Department to work with partners to provide behavioral health care for clients while using onsite and telehealth visits as a way to be more accessible. This grant also requires the Department to provide training and resources to healthcare and social service providers on screening and referral.

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.

(This area is currently blank for the requester to provide details on the emergency and vendor selection.)

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:	
Date:	Jim Lopatosh 30 - Oct - 19