

# State of Maine Waiver of Competitive Bidding Request Form

**19-1503**

**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.

<b>DHHS/DCM Contract Administrator:</b>	Chris Moiles / Lisa Munster	<b>Office/Division/Program of Contract Administrator:</b>	DHHS/OCFS/Jennifer Levesque
<b>Est. Contract Amount:</b>	\$22,032.00	<b>Contract or RQS Number:</b>	10A 20190222*2432
		<b>Purchasing Maine ID:</b>	
		<b>DHHS Agreement Number:</b>	CFS-19-1503
<b>Proposed Start Date:</b>	4/01/2019	<b>Proposed End Date:</b>	6/30/2020
<b>Vendor/Provider Name, City, State</b>	National Children's Advocacy Center (NCAC) Huntsville, Alabama		
<b>Short Description of Good or Service:</b>	Advanced Forensic Interview Training for Child Welfare Worker's		
<b>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.</b>		<i>To be completed by the Division of Procurement Services</i> Posting dates on Division of <i>Procurement Services</i> website: From: <u>4/9/2019</u> To: <u>4/15/2019</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0420190431	
<b>1. Statutory Justification</b> 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.			
<input type="checkbox"/>	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;		
<input type="checkbox"/>	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;		
<input type="checkbox"/>	<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> <b>Signature:</b>	
<input type="checkbox"/>		<b>Printed Name:</b>	<b>Date:</b>
<input checked="" type="checkbox"/>	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;		
<input type="checkbox"/>	D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;		
<input type="checkbox"/>	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;		
<input type="checkbox"/>	<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: <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>.</i>		
<input type="checkbox"/>	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;		

# State of Maine Waiver of Competitive Bidding Request Form

	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.	
	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	

**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 Office of Child and Family Services, Child Welfare staff conducts forensic interviews daily. Solid forensic interviewing skills increases child safety and productivity, and could decrease overturn rates of finding within the OCFS, which is currently higher than the national average, at thirty-three (33%) overturn rate (for 2018). Having access to this training would increase skill and competence in our staff, which then offers better service to the families of Maine.

All OCFS Child Welfare staff are required to participate in basic forensic interviewing training when they join the Department. The training lasts two (2) full days, and the curriculum consists of the background behind the protocol, the research that supports it, the steps to the protocol, child development, and the appropriate questions to ask while assessing child abuse allegations.

Ninety (90) OCFS Child Welfare staff would be able to participate in this training. There would be three (3) two (2) day trainings scheduled within the State.

The Advanced Forensic Interviewing Training offered by the National Children's Advocacy Center is the same model that is used in the basic forensic interviewing training for OCFS Child Welfare staff. The Advanced Forensic Interviewing Training builds on the basic forensic interviewing skills of the OCFS Child Welfare staff.

**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 currently does not provide these services.

**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**.

There would be three (3) two (2) day NCAC trainings held within the State. Approximately thirty (30) OCFS child Welfare staff could participate at each location. The training for ninety (90) OCFS Child Welfare staff would cost approximately \$22,000. \$5,400.00 for each training location plus travel expenses for the trainer for each training. We anticipate the travel expenses to be approximately \$1,944.00 x 3 = \$5,832.00 \$5,400.00 x 3 = \$16,200.00. \$16,200.00 plus \$5,832.00 = \$22,032.00.

The ChildFirst Training offered on location by Gundersen National Child Protection Training Center costs \$399.00 per person. For one (1) OCFS Child Welfare staff to travel to the location plus the registration for the training would be approximately \$1,399.00. \$1,399.00 x 90 = \$125,910.00.

## State of Maine Waiver of Competitive Bidding Request Form

The NCAC does not offer a train the trainer program which was considered an option for future trainings. The Department does not intend to RFP these services at this time.

**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**

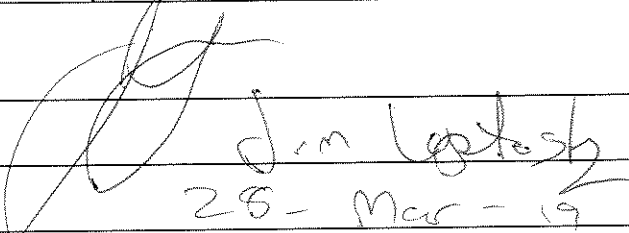
Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary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

The training curriculum used by NCAC for the advanced forensic interviewing training is the same model that OCFS Child Welfare staff are initially trained in, and is a proprietary tool developed by NCAC. The model is unique to NCAC in that the curriculum will provide an enhanced learning experience for OCFS Child Welfare staff. The NCAC also provides trainers who also conduct forensic interviews which enhances the skill building that the training offers.

The training curriculum of Gundersen National Child Protection Training Center and CornerHouse use the ChildFirst training model. OCFS child Welfare staff are not trained in this model.

**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.

<b>Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):</b>	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
<b>Printed Name:</b>	 Jim Luptosh
<b>Date:</b>	28 - Mar - 19

# State of Maine Waiver of Competitive Bidding Request Form

Date:	
-------	--