

# 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.

|  |   |   |                          |
|--|---|---|--------------------------|
| <b>DHHS/DCM Contract Administrator:</b>  | Chris Moiles / Debbie Weston  | <b>Office/Division/Program of Contract Administrator:</b>   | DHHS/OCFS<br>Lisa Salger |
| <b>Est. Contract Amount:</b>   | Original \$ 213,319.00;<br>Amendment B adds: \$ 485,174.00;<br>Total amount \$698,493.00  | <b>Contract or RQS Number:</b>  | CT 10A 20180709*0038     |
|  |   | <b>Purchasing Maine ID:</b>   |                          |
|  |   | <b>DHHS Agreement Number:</b>   | CBH-19-3000B             |
| <b>Proposed Start Date:</b>  | <b>August 15, 2018</b>  | <b>Proposed End Date:</b>   | February 28, 2020        |
| <b>Vendor/Provider Name, City, State</b>   | Public Consulting Group<br>Boston, MA   |   |                          |
| <b>Short Description of Good or Service:</b>   | CBHS Consulting Services  |   |                          |
| <p><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></p>  |   | <p><b>To be completed by the Division of Procurement Services</b><br/>Posting dates on Division of <b>Procurement Services</b> website:<br/>From: <u>4/16/2019</u> To: <u>4/22/2019</u></p>   |                          |
| <b>Notice of Intent to Waive Competitive Bidding Number:</b>   |   | NOI# <b>0420190458</b>  |                          |
| <p><b>1. Statutory Justification</b><br/>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.</p>  |   |   |                          |
|  | <p>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;</p>   |   |                          |
|  | <p>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;</p>   |   |                          |
|  | <p><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></p>  | <p><i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i></p> <p><b>Signature:</b></p><br><br><p><b>Printed Name:</b> _____ <b>Date:</b> _____</p> |                          |
| <b>X</b>   | <p>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;</p>  |   |                          |
|  | <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;</p>  |   |                          |
|  | <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> |   |                          |
| <p><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:</i></p> |   |   |                          |

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|  | <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>  |
|  | 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. |
|  | 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 Department of Health and Human Services is tasked with the oversight of the system of care for children’s behavioral health services, including the licensing of providers, the funding of care via MaineCare and the programmatic oversight. The Office of Child & Family Services (OCFS), Children’s Behavioral Health Services (CBHS) division is responsible for this programmatic oversight with the goal of ensuring that the statutory mandate to serve all children in need of children’s behavioral health services in an efficient, effective, and timely manner.

OCFS is seeking to improve the array of behavioral health service for children in the State of Maine. Improvement efforts are in response to client and provider feedback to OCFS regarding inadequacies and inefficiencies in many of the behavioral health programs that serve children. The problems range from a lack of service providers in rural areas, children becoming “stuck” in services (and not moving efficiently through the array of services as their needs change), provider’s that are unwilling or unable to accept children with a particular level of care need, etc. This is leading to increased financial costs due to potential over servicing, as well as a significant impact on children and families who spend time waiting for services and lack the full array of services available.

OCFS has determined that a comprehensive study of the current children’s behavioral health system in Maine is required in order to understand all of the specific issues, the scope of each issue, particular geographic concerns, etc. This study will be the basis of decisions made to improve the system because it will contribute to the development of a system of care strategy and strategic vision to be developed by OCFS. Using the information obtained in this study, a strategy will be developed that ties all initiatives and projects together into one overarching vision for the system of care that: facilitates the movement in, out, and between individual programs/services for clients; reduces the financial and human costs of the current inefficiencies; and results in improved outcomes for children and families. There is an urgent need for the completion of this study in order to begin improving the system of care.

The amendment allows the Provider to aid in the implementation of recommendations from the assessment completed during the initial Agreement

**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.

There are currently no State or governmental resources available to perform this service

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## 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**.

The cost PCG quoted for the additional services are consistent with those associated with the original agreement and are considered fair and reasonable.

## 5. Future Competition

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

This is a one-time need. The Department does not intend to RFP 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.

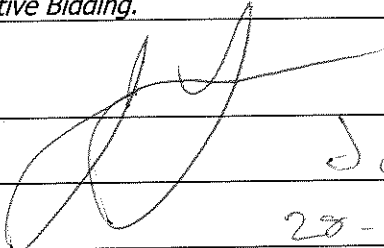
PCG has worked with the State of Maine on a comprehensive analysis of the opportunities to maximize federal block grants, implementation of the redesign of the eligibility program and improvements of TANF, and the assessment and redesign of the childcare subsidy program.

PCG is uniquely qualified to provide the services under this contract. PCG is able to complete the required study in the short timeframe required. PCG's extensive nationwide experience in the human service sector makes them uniquely qualified to research, obtain, and synthesize information regarding best practices in children's behavioral health services across the country.

## 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.

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|---|---|
| <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>  | Don Lapinski  |
| <b>Date:</b>  | 28 - mar - 19   |