

# State of Maine Waiver of Competitive Bidding Request Form

<b>DHHS/DCM Contract Administrator:</b>	Ryan Roberts/Nancy Tan	<b>Office/Division/Program of Contract Administrator:</b>	DHHS/SAMHS/ Leticia Huttman/ Stephanie Kadnar
<b>Est. Contract Amount:</b>	Amend: \$60,000.00 Revised: \$606,779.00	<b>Contract or RQS Number:</b>	CT-10A-20180329*2865
		<b>Purchasing Maine ID:</b>	
		<b>DHHS Agreement Number:</b>	MH4-19-009C
<b>Proposed Start Date:</b>	<b>7/1/2018</b>	<b>Proposed End Date:</b>	6/30/2019
<b>Vendor/Provider Name, City, State</b>	MaineHealth dba Maine Medical Center Portland, ME		
<b>Short Description of Good or Service:</b>	Statewide Employment Specialists		
<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>4/18/2019</u> To: <u>4/24/2019</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0420190474	
<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.			
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> <b>Signature:</b>	
		<b>Printed Name:</b>	<b>Date:</b>
<b>X</b>	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: <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>.</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.		
	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:		

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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.

Provision of this service is included in the Bates vs. DHHS Consent Decree plan. (Vocational Opportunities section page 43- 45) [http://www.maine.gov/dhhs/samhs/mentalhealth/consent\\_decree/cd-plan/index.shtml](http://www.maine.gov/dhhs/samhs/mentalhealth/consent_decree/cd-plan/index.shtml) This service places Employment Specialists in mental health agencies within each region of the state. The Employment Specialists will perform multiple types of activities directed at helping consumers obtain employment, maintain employment, and improve their employment-related skills.

Unemployment for individuals living with serious mental illness remains very high in Maine. This is an identified priority for SAMHS and is listed under compliance strategies for the Consent Decree. This service uses the evidence based Individual Placement and Support model of supported employment to integrate employment services with behavioral health services. Specific employment services delivered under this contract are not currently Medicaid reimbursable services nor is there capacity within the Vocational Rehabilitation system to meet the needs identified without this service.

The purpose of this amendment is to increase funds to add additional units of service to meet the needs to provide supported employment services to additional clients with additional need for employment services.

## 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 have the resources to 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**.

The cost of this amendment is based on methodology utilized in the initial RFP and is consistent with FY18 funding.

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**5. Future Competition**

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

The Department will RFP Mental Health Supported Employment services with an anticipated start date of 1/1/20.

**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 provider is currently providing these services and this amendment increases the units of service available to serve additional clients with additional need of employment services.

This provider was the sole bidder for the last RFP for these services (RFP# 200708022). They have the infrastructure in place including MOAs with host Behavioral Health agencies. The provider also has staff training in the Individual Placement and Support model of supported employment which is used in this contract. In an evaluation of potential vendors for this service in the state, SAMHS has determined this vendor is the only vendor with required training, certification and capacity to deliver this service.

**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.

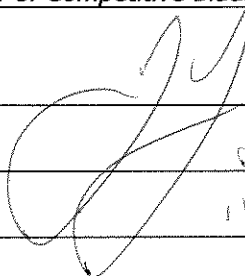
N/A

**Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):**

*By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.*

**Printed Name:**

**Date:**



J. M. Lepisto  
14 - March - 19