

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:	Elizabeth Heath Shawn Belanger	Office/Division/Program of Contract Administrator:	OIT/DHHS/Administered by SAMHS/Johanna Buzzell & Tara Pelotte
Est. Contract Amount:	Amendment Amount: \$629,500.02 Total Agreement Amount: \$771,539.45	Contract or RQS Number:	CT 10A 20181204*1800
		Purchasing Maine ID:	
		DHHS Agreement Number:	OIT-19-109A
Proposed Start Date:	4/15/2019	Proposed End Date:	12/31/2019
Vendor/Provider Name, City, State	FEI.com, Inc. Columbia, MD		
Short Description of Good or Service:	Reporting Database, Outcome Measure, and Dataset Extract		
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.		<i>To be completed by the Division of Procurement Services</i> Posting dates on Division of <i>Procurement Services</i> website: From: <u>4/30/2019</u> To: <u>5/6/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0420190532	
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:
X	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>		

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	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.

WITS is used by providers, in many cases, as a secondary tool to their EMR which they enter substance abuse and mental health prevention and treatment data to satisfy mandatory government reporting requirements. The current system is cumbersome and only allows for manual keying of data into the system where each patient can take upwards of 10-15 minutes. Not all providers enter data information in a timely fashion, which has downstream affects to areas such as reporting and accurate waitlists. The current administration in Executive Order #2 pursuant to 22-A MRSA sec. 202(1) has ordered the urgent action to fight the insidious opioid epidemic to include hub and spoke (“hub” of clinical care and “spoke” of supportive services) as well as the ability to connect individuals to timely services and support.

After careful review of the current EIS system, feedback from providers, as well as a review of the current WITS system it was determined that the best course of action would be adding functionality to the WITS system. This will allow providers entering information into WITS a user interface for either manual or systematic upload using an API and condensed dataset for efficiency and effectiveness gains. The API is not included as a part of this body of work, however, the functionality to allow API transmittals is. The upgrade also gives both SAMHS and the providers increased system editing, error identification and reporting capabilities alongside the ability to improve the tracking of outcome measures. This has a direct correlation to the accuracy and thus effectiveness of the Waitlist which is a key component in an effective “Hub and Spoke” model.

FEi Systems is currently engaged in a contract negotiated and approved through the Division of Purchases to develop, implement and support the WITS Grant Reporting System. Most of the WITS system has been implemented but requires these additional changes and modules. These additional needs cannot be acquired through, nor provided by any other vendor.

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.

Sufficient staffing, resources, or expertise is not available within the State of Maine's government.

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 estimates reflected for the specific deliverables is in line with the actual cost for similar work FEi has done for other State clients.

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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 does not intent to competitively procure 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.

FEI Systems is currently engaged in a contract to develop, implement and support the WITS Grant Reporting System. Most of the WITS system has been implemented but requires these additional changes and modules. These additional needs cannot be acquired through, nor provided by any other vendor.

Industry research was done to identify if other TDS systems are available, and showed that there is only one other custom developed application, currently in use by only one State, which would not meet all of Maine's requirements without modification. There isn't a current support model for multiple-state use for this other application, as exists for the WITS (Web Infrastructure for Treatment Services) consortium.

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.

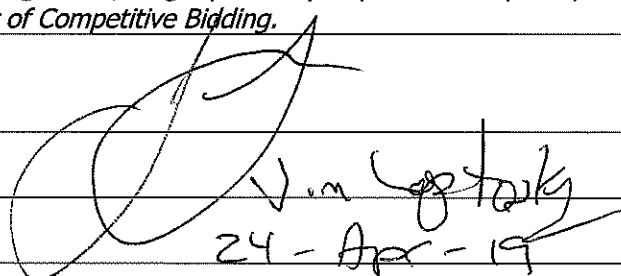
The ability to meet the demands of the Executive Order 2 FY19/20 regarding the functionality provided by this contract will be in jeopardy given the complexity of the upgrades, communication and training plan associated therein.

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. Legros
24 - Apr - 19