

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Elizabeth Heath & Nancy Tan	Office/Division/Program of Contract Administrator:	DHHS/SAMHS/Baxter Services/Peter Alexander
Est. Contract Amount:	See Attached List	Contract or RQS Number:	See Attached List
		Purchasing Maine ID:	
		DHHS Agreement Number:	See Attached List
Proposed Start Date:	7/1/2019	Proposed End Date:	6/30/2021
Vendor/Provider Name, City, State	See Attached List		
Short Description of Good or Service:	A Safer Place (Baxter Related)		
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>5/14/2019</u> To: <u>5/20/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190622	
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:	Any Willing & Qualified	

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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.

The need is to provide specialized professional mental health services in the communication modality most readily understood by former students of the Maine School for the Deaf and/or the Governor Baxter School for the Deaf such that the consumer receives services at no out-of-pocket expense pursuant to the Public and Special Law, Chapter 12, May 2, 2001. In 2001, Maine State Legislature adopted LD178, an Act to Implement the Continuation of Services for victims of abuse at the Governor Baxter School for the Deaf. Section 1, Continuation of Services. "The Department of Mental Health, Mental Retardation and Substance Abuse shall continue to offer counseling and other mental health services at no cost to former students of the Governor Baxter School for the Deaf and the Maine School for the Deaf."

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 a resource that could provide this service.

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 rate is based on the units of service approved by the Department's Administrative Services Organization times the hourly rate of the practitioner. The practitioner rates are based on a standardized rate structure that is aligned with the MaineCare rate for outpatient services with interpreter services fees included.

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 intend to RFP these services because this service is a MaineCare service provided by "any willing and qualified provider", who must be licensed by DLRS and have a contract with SAMHS.

State of Maine Waiver of Competitive Bidding Request Form

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.

DHHS, Office of Substance Abuse and Mental Health Services had determined that this providers are willing and qualified to provide these services and are licensed to provide this service, employs qualified licensed practitioners and is a provider of this service under MaineCare. They are also independently licensed clinicians [Licensed Clinical Social Workers (LCSWs)/ Licensed Clinical Professional Counselors (LCPCs)], particularly those who are proficient in American Sign Language, to provide specialized outpatient services. Baxter consumers who have been determined clinically eligible for outpatient services choose which clinician they wish to receive treatment from.

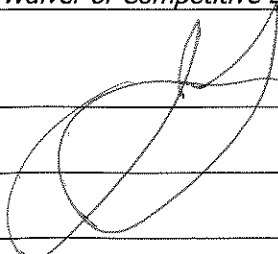
7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

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.

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:

 Jim Lapostola

Date:

19 - Apr - 19

State of Maine Waiver of Competitive Bidding Request Form**Office:** Substance Abuse Mental Health Services**Service Group:** A Safer Place – Baxter Services**Service Group total:** \$361,666**No. of Vendor:** 9

Vendor	CT 10A -	Agreement Number	Start Date	End Date	Amount
Alternative Solutions Center		MH1-20-1031	7/1/2019	6/30/2021	\$ 18,000.00
Anthony C. Brucato		MH2-20-932	7/1/2019	6/30/2021	\$ 5,000.00
Echo Dixon, dba Echoes of Understanding		MH1-20-931	7/1/2019	6/30/2021	\$ 19,552.00
Lori Tully		MH1-20-4016	7/1/2019	6/30/2021	\$ 5,640.00
MaineHealth dba Maine Behavioral Healthcare		MH1-20-4007	7/1/2019	6/30/2021	\$ 10,000.00
Ralph M Sprague		MH2-20-925	7/1/2019	6/30/2021	\$ 78,400.00
Sara L Treat		MH1-20-926	7/1/2019	6/30/2021	\$ 48,332.00
Stephen S Greene		MH4-20-927	7/1/2019	6/30/2021	\$ 62,000.00
Sweetser		MH1-20-930	7/1/2019	6/30/2021	\$ 14,742.00
					\$ 361,666.00