

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:	Chris Moiles / Lisa Munster	Office/Division/Program of Contract Administrator:	DHHS/OCFS Lisa Salger
Est. Contract Amount:	\$ 16,000.00	Contract or RQS Number:	10A 20190321*2646
		Purchasing Maine ID:	
		DHHS Agreement Number:	CFS-20-625
Proposed Start Date:	7/1/2019	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State	John Praed Foundation Chicago, IL		
Short Description of Good or Service:	CANS (Child and Adolescent Needs and Strengths) assessment tool and FAST (Family Advocacy and Support Tool) trainings.		
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 <i>Procurement Services</i> website: From: <u>5/14/19</u> To: <u>5/20/19</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190632	
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.			
<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;		
	<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:
<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;		
	<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>		
<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 need is for a standardized, evidence-based instrument to determine consumers' eligibility for Children's Targeted Case Management, Children's Behavioral Health Homes and/or other services which Maine Care rule requires CANS for eligibility. The Child and Adolescent Needs and Strengths (CANS) assessment tool is a requirement identified and explained in MaineCare Benefits Manual Ch. II Section 13.

The Family Advocacy and Support Tool (FAST) is the chosen evidence-based assessment tool that has been deemed the most appropriate and cost-effective tool to use for assessment, service planning, and monitoring with families at high risk of child welfare intervention. The FAST tool integrates well with the CANS that is used in Behavioral Health services and can assist clients serviced in both systems.

The Praed Foundation has proprietary rights to the CANS and FAST assessment tools and provides on-line training, yearly certification for use of the CANS and FAST assessment tools as well as on-site training as the tools are implemented.

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.

DHHS does not develop or maintain evidence based assessment tools. The CANS and FAST Assessment Tools were developed by Dr. John Lyons. He is the expert when it comes to this type of assessment tool.

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**.

These contract rates were negotiated between the John Praed Foundation and the Department. The rates have remained the same since Fiscal Year 2018.

Many other evidence-based tools on the market, such as the Child and Adolescent Functional Assessment Scale (CAFAS), charge based on a dollars per-administration rate, resulting in significantly higher costs.

The cost is comparable to other similar contracts which provide training and consultation. For example, CFS-19-903 Tricia Mosher at a rate of \$260.00 per hour and OIT-19-134 OQ Measures at a rate of \$ 250.33 per hour.

5. Future Competition

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

State of Maine Waiver of Competitive Bidding Request Form

Due to the proprietary training tool, 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.

Dr. John Lyons is the creator of CANS and FAST tools and has expert knowledge of their use. The CANS will be administered statewide by providers of Children's Targeted Case Management and Behavioral Health Homes and other services which MaineCare rule has designated CANS as an eligibility requirement. Therefore, the CANS evidence-based assessment tool has been deemed the most appropriate tool for determining Children's Targeted Case Management and Children's Behavioral Health Home eligibility. Dr. John Lyons is the sole provider of training/certification, and requires an annual user license.

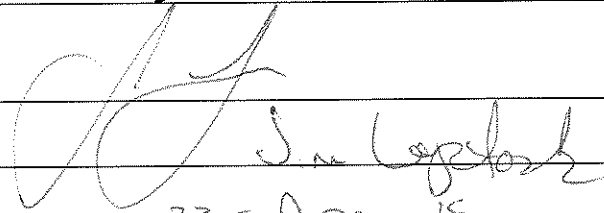
The FAST tool is the chosen evidence-based assessment tool that has been deemed the most appropriate and cost-effective tool to use for assessment, service planning, and monitoring with families at high risk of child welfare intervention.

Dr. Lyons is the sole provider of training/certification of the FAST tool and requires an annual user license fee.

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.

(This section is currently blank for the purpose of this document.)

Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
Printed Name:	
Date:	23 - Apr - 19