

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:	Matt Galletta	Office/Division/Program of Contract Administrator:	DHHS – DDPC – Carol W. Cody
Est. Contract Amount:	\$16,686.00 for 3 years	Contract or RQS Number:	RQS 10A 20190227*0939
		Purchasing Maine ID:	
		DHHS Agreement Number:	DDPC-19-600
Proposed Start Date:	04/01/2019	Proposed End Date:	03/30/2022
Vendor/Provider Name, City, State	ABM Healthcare Support Services, Inc. 22622 Harper Avenue St. Clair Shores, MI 48080		
Short Description of Good or Service:	Medical equipment calibration and testing		
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>05/21/19</u> To: <u>05/27/19</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190697	
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;		

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	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.	
<p>Dorothea Dix Psychiatric Center (DDPC) is a licensed 51 bed inpatient hospital for adults with severe mental disorders. The hospital is licensed through the State Licensing Division. DDPC is certified through the Centers of Medicare and Medicaid (CMS) and accredited through The Joint Commission (TJC).</p> <p>DDPC's Medical Equipment Inspection and Testing Program is part of the Environment of Care's Medical Equipment Management Plan.</p> <p>DDPC uses the following regulatory and hospital procedures and policies to govern the program:</p> <ul style="list-style-type: none"> • DDPC Environment of Care – Medical Equipment Management Plan dated July 10, 2018 • 42 CFR 482.41 (c)(2), and specifically, CMS Memorandum S&C – 14-07-Hospital, dated December 20, 2013; with appended CMS Manual System Publication 100-07 State Operations; and, State Operations Manual (SOM), Appendix A, A-0724 • TJC – CAMH, dated January, 2018; EC.01.01.01; EC.04.01.01; and EC.02.04.01 • NFPA 99 Healthcare Facilities Code 	
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.	
<p>There are no agencies within the State of Maine's government, or other governmental entities, that are able to perform the medical equipment calibration and testing services that this agreement covers.</p> <p>There is currently a Master Agreement for these types of services but once the vendor was able to look over the specifications, they declined to submit a quote and suggested we stay with the vendor we currently use.</p>	
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 .	
<p>The vendor that currently has the State of Maine master agreement for these services declined to submit a bid. They suggested we stay with the vendor we currently use, as their cost for these types of services are fair and reasonable.</p>	

State of Maine Waiver of Competitive Bidding Request Form

5. Future Competition

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

In the future there is always the possibility that the vendor that has the Master Agreement for these types of services will be able to be utilized. That option will be used at that time if available.

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.

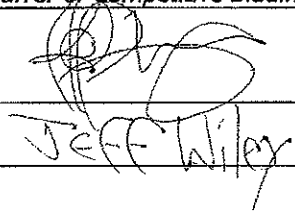
There is currently a Master Agreement for these types of services but once the vendor was able to look over the specifications, they declined to submit a quote and suggested we stay with the vendor we currently use, as our needs are unique.

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:

JEFF WILEY

Date:

20 MAY 2019