

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Nancy Tan / Valerie Fredericks	Office/Division/Program of Contract Administrator:	DHHS/ SAMHS/ Tom Connors/Sara Wade
Est. Contract Amount:	\$ 1,560,000	Contract or RQS Number:	CT 10A 20180329*2869
		Purchasing Maine ID:	VC1000017783
		DHHS Agreement Number:	MH1-20-1024
Proposed Start Date:	7/1/19	Proposed End Date:	6/30/21
Vendor/Provider Name, City, State	Community Dental Falmouth, ME		
Short Description of Good or Service:	Specialized Direct Dental Services		
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>5/22/2019</u> To: <u>5/28/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190704	
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>		
	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.

Community Dental operates the Portland Dental Clinic which was established in the late 1990's to provide dental services to Mental Health consumers. It was mandated by the AMHI Consent Decree (paragraph 178 and 179) to help alleviate the backlog of patients needing dental care with local area dentists. Riverview Psychiatric Center operates a Dental Clinic in Augusta, Maine (Region II). This contract will allow the Department to keep up with the demand for dental services for Region I clients to provide dental services in the Southern Maine area.

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 is based on the Provider's established fee schedule for dental services and is consistent with the annualized cost of Preventative/ Diagnostic and Restorative/Endodontic Services provided to the former Preble St. patients including those in need of general sedation services by Community Dental in FY16. Funds will remain allocated in FY20 to continue providing moderate sedation services in Southern Maine, and ensure patients diverted to Riverview's or Dorothea Dix's Dental Clinic will have access to services closest to home.

5. Future Competition

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

The Department has no intention to RFP this service at this time.

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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

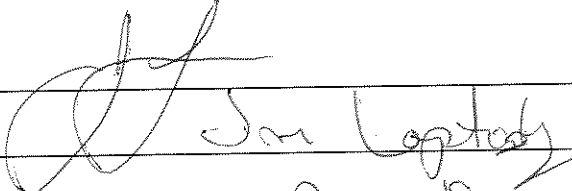
Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary data, also explain the necessity of these particular unique assets.

Community Dental is uniquely positioned to provide this service as they were the subcontracted agency providing dental services under the previous Riverview contract with Clinical Services in Portland, and they have been an active partner in providing quality specialized dental services to this population group for several years. Community Dental has established relationships with the patients in the clinic, the consistency needed to provide continuation of services, and the expertise with this population group. Community Dental has also established a relationship with Maine Medical Center to provide moderate and general sedation services to this population in their outpatient Scarborough surgery center. Community Dental partnered with a national consultant, and provided training to Maine Medical Center staff to facilitate access of these needed services.

The difficulty in recruiting, retaining and maintaining stable dentistry services has been difficult and Community Dental has been able to furnish the needed personnel along with providing management services and peer reviews as necessary. Prior experience in recruiting dentists who are willing and able to work with this challenging population has proven so difficult that it is unlikely that a change in provider, if any are available, would have the ability to maintain continuity of services

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):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
Printed Name:	
Date:	12-Apr-19