

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 / Patti Wall	Office/Division/Program of Contract Administrator:	DHHS/OCFS Lisa Salger
Est. Contract Amount:	\$55,000.00	Contract or RQS Number:	CT 10A 20190325*2682
		Purchasing Maine ID:	
		DHHS Agreement Number:	CFS-20-913
Proposed Start Date:	7/1/2019	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State	Dr. Susan Righthand Rockland, ME		
Short Description of Good or Service:	Consulting		
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>5/23/2019</u> To: <u>5/29/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190729	
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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	<p>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.</p>	
	<p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p>	
<p>Please note that the following four points below (#2 through 5) <u>all</u> require a response.</p>		
<p>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>		
<p>The Department of Health and Human Services, Office of Child and Family Services, is responsible for investigating reports of child abuse and/or neglect, including allegations of sexual abuse and problem sexual behavior. It is critical that the Department advocate, contract, and obtain assessment and treatment services that meet the best practice standards.</p> <p>In order to move forward with the OCFS Strategic Planning objective of increasing access to evidence-based Children’s Behavioral Health Services, consulting hours are needed to:</p> <ol style="list-style-type: none"> 1. Facilitate and offer training to workgroups that have been formulated to develop and incorporate treatment enhancement practices into the review process for residential treatment programs. 2. Offer input, guidance and research as it relates to further development of The Children’s Behavioral Health System of Care. 		
<p>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>		
<p>The Department does not have the expertise to provide this service and expert guidance is not available through other governmental resources.</p>		
<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>		
<p>The consultation and assessments delivered under this Agreement are calculated at a rate paid to Dr. Righthand by other Department Agreements. The Department considers Dr. Righthand’s rate of \$100.00 per hour to be fair and reasonable, considering Dr. Righthand’s level of expertise in research, assessment and treatment and her national reputation. The usual market rate for services by similarly-qualified mental health professionals is \$150.00 per hour.</p>		
<p>5. Future Competition Please describe potential opportunities which may be available to foster competition for these goods or services in the future.</p>		
<p>The Department does not intend to RFP these services.</p>		

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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.

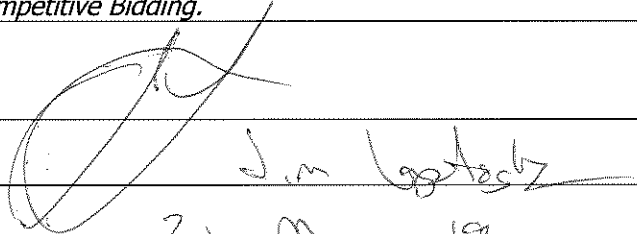
Dr. Righthand is a Clinical and Consulting Psychologist, Associate Research Professor at UM and a nationally-recognized researcher and expert in child maltreatment, assessment and treatment of adults, youth and children with sexual behavior problems. She presents at national conferences, provides training to state agencies and correction departments throughout the country. She was the University lead in an OJJDP grant that provided expert training and assistance to DHHS licensed residential treatment programs and assisted in the development of a web-based application on assessment and treatment for community providers. She has co-authored numerous research articles and publications including the following:

- Assessing Risk of Sexually Abusive Behavior among Youth in a Child Welfare Sample. (2010)
- Assessment and Treatment of Sex Offenders, A Handbook (2009)
- Sexual Abuse, a Journal of Research and Treatment (2005)
- Child Maltreatment Clinical Evaluation Guide (2003)

In addition, she developed and is doing ongoing research on the Juvenile Sex Offender Protocol-II, and the Treatment Needs & Progress Report – instruments utilized by the Department of Corrections and by community and residential treatment programs delivering services licensed by DHHS.

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:	2-11-19