

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:	Nancy Tan Lisa Munster	Office/Division/Program of Contract Administrator:	OADS/DS/Dental Services/Ingrid Diamond
Est. Contract Amount:	\$952,400.00	Contract or RQS Number:	CT 10A 2019041*2887
		Purchasing Maine ID:	
		DHHS Agreement Number:	ADS-20-5842
Proposed Start Date:	07/01/19	Proposed End Date:	06/30/20
Vendor/Provider Name, City, State	Praveen Pavuluru DMD, LLC Bangor, ME		
Short Description of Good or Service:	General and IV Deep Sedation Dental Services (Specialized 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.		<i>To be completed by the Division of Procurement Services</i> Posting dates on Division of <i>Procurement Services</i> website: From: <u>5/24/2019</u> To: <u>5/30/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520190740	
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.		

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X	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	Any Willing and 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.

This agreement is needed to assure provision of comprehensive General and IV Deep Sedation dental services for individuals with intellectual disabilities or autism served by OADS. Due to the personal and clinical behavioral characteristics of individuals with intellectual disabilities or autism, IV Deep Sedation is frequently needed to perform dental procedures. These services are necessary to maintain the health of individuals with intellectual disabilities or autism. The consumers cannot afford dental services and have no alternative means of getting dental care.

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.

Neither the Department nor any other governmental entity has staff, resources or expertise 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 total agreement cost for these services is based on analysis of the prevailing rates of compensation for the contracted dentist, dental assistant, dental hygienist, Registered N (RN) Practice Manager, and Certified Nurse Anesthetist (CRNA), as well as the cost of supplies required to provide the services.

There is no federal funding that supports these services. This is a dental program for clients with intellectual disabilities or autism who need specialized dental services. This service is not covered by MaineCare.

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 determined that an RFP is not necessary as any willing and qualified dentist can perform these services. The Department does not intend to RFP these services.

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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.

This Provider has a demonstrated an exceptional level of expertise and ability to serve the unique needs of individuals with intellectual disabilities or autism, and has the necessary skills to coordinate and work as part of an interdisciplinary team to provide dental services under IV deep sedation to serve these patients. This provider has a consistent and excellent patient safety and satisfaction record serving this clinically difficult and challenging population. Further, maintaining continuity of care by the same dental team is crucial to encouraging ongoing patient compliance with good oral health practices and maintaining the overall health and well-being of the population served.

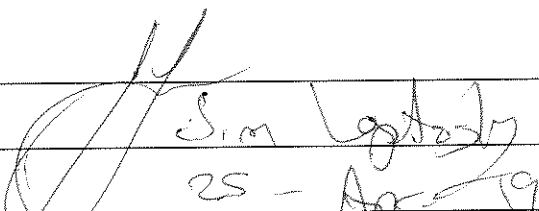
Historically, no other Provider has been able or willing to provide the level of services required. During a previous RFP process in 2008 this Provider was the only dentist who responded to the RFP.

The provider must have an active license to practice dentistry in the State of Maine from the Maine Board of Dental Practice, a valid unrestricted Drug Enforcement Administration registration, and valid Basic Life Support and Advanced Cardiac Life Support certifications.

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.

N/A

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:	25 - Apr - 19