

# 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.

<b>Requesting Department's Contract Administrator:</b>	Stacey Bean, Contract/Grant Specialist	<b>Office/Division/Program of Contract Administrator:</b>	Maine Department of Education (DOE), Special Services
<b>Est. Contract Amount:</b>	Amend Amt \$10,707.44	<b>Contract or RQS Number:</b>	20190507*3290
<b>Proposed Start Date:</b>	<b>07/01/2019</b>	<b>Proposed End Date:</b>	06/30/2020
<b>Vendor/Provider Name, City, State</b>	Lewiston School Department 27 Pine Street Lewiston, ME 04240		
<b>Short Description of Good or Service:</b>	A maximum of nine educators will participate in the "Math4ME" program during this fourth year of the project.		
<b>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.</b>		<b>To be completed by the Division of Procurement Services</b> Posting dates on Division of <b>Procurement Services</b> website: From: <u>06/05/2019</u> To: <u>06/11/2019</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0620190830	
<b>1. Statutory Justification</b>			
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>	By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement. <b>Signature:</b>	
		<b>Printed Name:</b>	<b>Date:</b>
<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: <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>.</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;		
<input type="checkbox"/>	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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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.

Maine has a proficiency-based diploma law which requires all students to demonstrate proficiency in Maine's *Learning Results*. The percentage of students with disabilities who achieve proficiency on statewide examinations indicates an area of considerable concern especially in math. Between 2007-08 and 2013-14, proficiency rates for students with disabilities in grades 3-8 fluctuated between 26% and 31%. Additionally, unlike English/language arts scores, the average math scores of students with disabilities consistently decline from grade 3 to grade 8. Qualitative data suggests that a root cause of low math proficiency rates for students with disabilities is the lack of teacher training in math content knowledge and pedagogy. For these reasons, math proficiency for elementary school students has been selected as the focus of Maine's State Systemic Improvement Plan (SSIP) for the State Performance Plan (SPP) (Indicator 17). The Math4ME training focuses on developing teacher understanding of the fundamentals of mathematics, and improving instructional practices by developing an emphasis on number sense for a coherent presentation of mathematics for children with disabilities.

The Department's Office of Special Services received technical assistance through the national-level IDEA Data Center, which identified an evidence-based professional development approach that could help meet the needs of Maine's children with disabilities in the area of math. With guidance from the state-level SSIP Stakeholder group, the DOE's SSIP core group has worked earnestly over the past three years to improve and implement this approach while gearing it specifically to Maine students (grades 3-8) with disabilities. During the fourth year of the Math4ME project, the DOE will continue to scale up this work.

**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.

Local school districts employ educators who provide educational services to children with disabilities. The Lewiston School Department is one of many School Administrative Units (SAUs) that agreed to participate in the DOE's Math4ME project to improve students' proficiencies in math. DOE will continue to recruit additional SAUs as Math4ME continues to scale up.

**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**.

A total of up to \$9,157.84 in teacher and coach honorariums, mileage and pay for substitutes. A maximum of nine educators are reasonable given their participation in 5 full days of training (3 days during the summer) and throughout the year with activities and consultations on Math4ME instructional practices. Substitute allowances are in line with the average rates paid throughout the state and SAUs will bill Maine DOE at the state rate for actual mileage.

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## 5. Future Competition

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

In accordance with Maine's SSIP, the DOE's work to improve math proficiency of students with disabilities will continue. The Maine DOE will recruit teachers from additional SAUs in order to scale up this work and to increase the number of schools using evidence-based instructional practices in math. As the DOE works to scale up the Math4ME project, the DOE is also recruiting additional district coaches and mentors.

**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.

DOE has been recruiting SAUs to participate in the Math4ME training to improve Maine students' proficiencies in math. The Lewiston School Department is one of the SAUs that has agreed to participate in this project. To scale up the project the DOE will continue to recruit additional SAUs, schools, teachers, and district coaches.

The Math4ME training focuses on math components that are integrated with evidence-based teaching practices to increase teachers' knowledge of math content and pedagogy and improve math proficiency rates for children with disabilities. The training uses hands-on activities and interactive instruction to help teachers gain a deeper understanding of the conceptual core of mathematics and strategies to bring these concepts to life for students. Training is followed by teacher mentoring over three coaching cycles scheduled throughout the school year for each teacher participant. Each coaching cycle includes a pre-conference, teacher observation/fidelity check, post-conference and written evaluation of the use of Math4ME practices and strategies (representative of one coaching cycle).

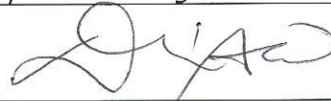
The DOE's Office of Special Services received technical assistance through the national-level IDEA Data Center, which identified an evidence-based professional development approach that could help meet the needs of children with disabilities in the area of math. With guidance from the state-level SSIP Stakeholder group, the DOE's SSIP core group has improved this PD to specifically gear it towards Maine children.

## 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:**

David A. Chultz

**Date:**

21 May 2019