

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Nancy Tan/Lisa Munster	Office/Division/Program of Contract Administrator:	DHHS/OADS/Research
Est. Contract Amount:	\$140,000.00	Contract or RQS Number:	10A 20190411*2908
		Purchasing Maine ID:	
		DHHS Agreement Number:	ADS-20-9722
Proposed Start Date:	07/01/2019	Proposed End Date:	06/30/2021
Vendor/Provider Name, City, State	Maine Developmental Disabilities Council Augusta, Maine 04333-0139		
Short Description of Good or Service:	Research Services in support of the National Core Indicators: Aging and Disability Adult Consumer Survey.		
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>6/5/2019</u> To: <u>6/11/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620190845	
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;		
<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.		
<input type="checkbox"/>	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.

The Department participates in the National Core Indicators: Aging and Disability Adult Consumer Survey to collect information from individuals with developmental disabilities about health and wellness, employment status, and the ability to self-direct. The Aging and Disability Adult Consumer Survey is copyrighted by the National Association of State Directors of Developmental Disabilities Services and Human Services Research Institute. The Department's applications for Home and Community Based Waivers for individuals with intellectual disability and autism indicate to the Centers for Medicare and Medicaid Services that the State of Maine participates in the Aging and Disability Adult Consumer Survey in support of waiver services.

The Maine Developmental Disabilities Council conducts consumer interviews as part of the Aging and Disability Adult Consumer Survey. The aim of the initiative is to develop nationally recognized performance and outcome indicators that will enable developmental disabilities policy makers to benchmark the performance of their state against the performance of other states. National Core Indicators also enable each participating state developmental disabilities agency to track system performance and outcomes from year to year on a consistent basis.

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.

Sufficient staffing and/or expertise are not available within the Department to perform the service.

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 a proposal received from the Provider. It is considered by the Department to be fair and reasonable, based on the nature and scope of the work effort required to plan, coordinate, conduct and record data from at least 400 in-person interviews annually with individuals with Developmental Disabilities.

5. Future Competition

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

The Department does not intend to issue an RFP for these services.

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.

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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.

The Maine Developmental Disabilities Council (MDDC) is uniquely staffed and positioned within the disabilities services community to fulfill the requirements of this agreement.

The Maine Developmental Disabilities Council was established in 1971 and is a federally-funded entity tasked with working to accomplish systemic change that fosters full inclusion and self-determination for individuals with developmental disabilities. It is involved in advocacy activities, provides support for demonstration projects, and is also tasked with activities that monitor the quality and amount of services provided to individuals with developmental disabilities. The MDDC is a partnership of people with disabilities, their families, and State agencies. Its membership includes 17 Governor appointed members; 6 members who represent State agencies administering federally-funded programs related to persons with disabilities; and representatives from the protection and advocacy agency, Disability Rights Maine, and the Center for Community Inclusion and Disability Studies at the University of Maine, Orono.

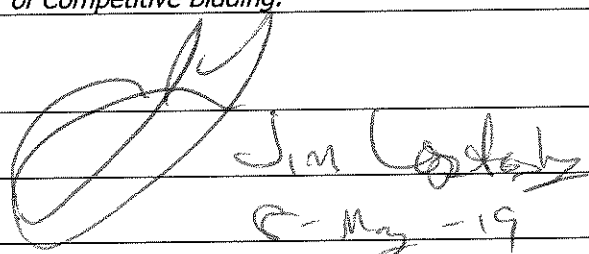
7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

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):

By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.



Printed Name:

Jim Lopata

Date:

5-May-19