

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Nancy Tan/Mary Alderman	Office/Division/Program of Contract Administrator:	OADS/Adult Day
Est. Contract Amount:	Service Group Total: \$820,920.00	Contract or RQS Number:	See attachment
		DHHS Agreement Number:	See attachment
Proposed Start Date:	07/01/19	Proposed End Date:	06/30/2021
Vendor/Provider Name, City, State	Multiple Vendors – see attachment		
Short Description of Good or Service:	Adult Day Services		
Please note, for transparency purposes, Waivers of Competitive Bidding will be publicly posted. Public postings are placed on the Division of Purchases' website for a period of seven consecutive calendar days.		To be completed by the Division of Purchases Posting dates on Division of Purchases' website: From: <u>6/5/2019</u> To: <u>6/11/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620190846	
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;		
<input type="checkbox"/>	<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. Signature:	
<input type="checkbox"/>		Printed Name:	Date:
<input 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;		
<input type="checkbox"/>	<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 Purchases "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 checked="" type="checkbox"/>	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	Any Willing and Qualified.	
Please note that the following four points below (#2 through 5) all require a response.			

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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 Section 61 (OADS policy CMR 10-149) Program provides adult day services for older adults and adults with disabilities. Because supervision is not a covered service for many of the home and community based services, adult day is a necessary service to allow individuals who need care in a supervised setting to remain in the community.

These services are a core function of the long term care (LTC) delivery system. These services assist eligible individuals to remain as independent as possible in their homes and communities, delaying or preventing more expensive institutional care by increasing the availability of long term services and supports in the community, and serving individuals who are at greatest risk of institutionalization.

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 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**.

Based on the analysis of the rates vendor wide, the Department has determined that the rate of \$13.82 per service hours is fair and reasonable.

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 RFP this service because services are provided by willing and qualified vendors.

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.

State of Maine Waiver of Competitive Bidding Request Form

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.

DHHS, Office of Aging and Disabilities Services has determined that these providers are willing and qualified to provide these services and have meet specialized licensing requirements in order to provide this service and employ qualified staff.

Adult Day Services are activities and services available in a facility for several hours per day designed to provide older adults and adults with disabilities with opportunities for active participation in constructive social and leisure time as well as health monitoring, directed at maintaining and/or improving personal and social functioning, and minimizing isolation and providing respite to family caregivers. Adult Day Services maintain the consumer's ability to remain at home, which has been part of the long-range plan of assisting people to be more independent in their communities and delay or prevent institutional care and higher cost 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.

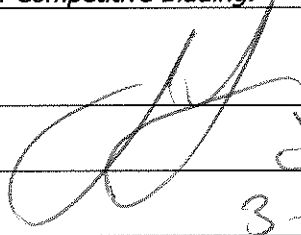
N/A

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:

Date:


 J. M. Lepore
 3-Jun-19

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DHHS Office: OADS
Service Group: Adult Day Services
Service Group Total \$ 820,920.00
Number of Vendors 10

Vendor	CT	Agreement Number	Start Date	End Date	Total Agreement Amount
Aroostook Area Agency on Aging	CT 10A 20190419000000003043	ADS-20-8912	7/1/2019	6/30/2021	\$ 72,920.00
Brunswick Area Respite Program	CT 10A 20190419000000003042	ADS-20-2902	7/1/2019	6/30/2021	\$ 50,000.00
Central Maine Area Agency on Aging dba Spectrum Generations	CT 10A 20190419000000003044	ADS-20-5910	7/1/2019	6/30/2021	\$ 24,000.00
City of Portland	CT 10A 20190419000000003045	ADS-20-2905	7/1/2019	6/30/2021	\$ 126,000.00
Downeast Community Partners	CT 10A 20190419000000003046	ADS-20-7908	7/1/2019	6/30/2021	\$ 240,000.00
MaineGeneral Rehabilitation & Long Term Care	CT 10A 20190419000000003047	ADS-20-5907	7/1/2019	6/30/2021	\$ 60,000.00
Robert and Marys Place	CT 10A 20190419000000003048	ADS-20-7911	7/1/2019	6/30/2021	\$ 50,000.00
Servants of The Cross	CT 10A 20190419000000003049	ADS-20-4904	7/1/2019	6/30/2021	\$ 92,000.00
Southern Maine Agency on Aging	CT 10A 20190419000000003050	ADS-20-2913	7/1/2019	6/30/2021	\$ 100,000.00
The Golden Years Adult Day Services	CT 10A 20190419000000003051	ADS-20-1910	7/1/2019	6/30/2021	\$ 6,000.00