

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/Debbie Weston	Office/Division/Program of Contract Administrator:	Maine CDC / Division of Population Health/Oral Health
Est. Contract Amount:	Original \$278,716.00	Contract or RQS Number:	10A 20180716*0136
	Amendment \$40,000.00	Purchasing Maine ID:	
	New total \$318,716.00	DHHS Agreement Number:	CD0-19-4580A
Proposed Start Date:	6/1/2019	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State	Medical Care Development Augusta, ME		
Short Description of Good or Service:	Oral Health Education and Prevention Services for Children		
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 Procurement Services' website: From: <u>6/7/2019</u> To: <u>6/13/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620190862	
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.		
X	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:		Competitive Award Adjustment
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.

This amendment is to expand the number of schools served under this program. The Department awarded these services to this vendor under RFP # 201804069. The extra funds are to continue support for School Oral Health Coordinator who will go to the schools and provide the dental screenings, data collection, MIYHS school screenings, fluoride varnish application, classroom oral health education and dental sealants for an additional 50 schools that are in the School Oral Health Program.

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.

There are no public resources within the Department or via other governmental 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**.

Project costs are based upon the current contractual numbers from the competitively awarded contract with this provider. Additional funding is being added to this contract to expand the services to a wider population. The expenses and salaries are fair and reasonable and the organization has found ways to coordinate functions that result in cost-savings to the department.

5. Future Competition

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

As this adjustment is a result of a recent RFP (201804069), the Department will not need to place these services in the competitive process until 2022 for a contract start date of 7/1/2023.

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.

These services were awarded through a competitive bid process (RFP 201804069), and this vendor is uniquely qualified to expand their existing work to a larger audience. As they were the only vendor to respond to the underlying RFP and have been providing these services under a prior agreement (CD0-18-4510), they are uniquely qualified to continue to provide these services.

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

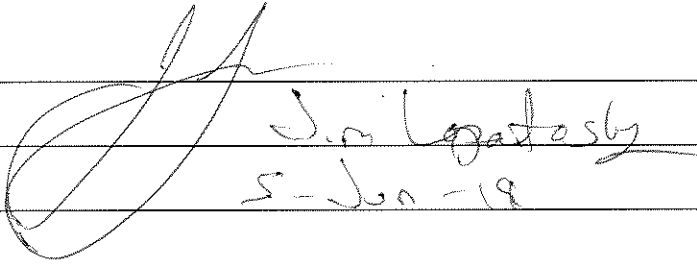
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e. 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:

Date:


J. M. Legatesby
5-Jun-18