

# State of Maine Waiver of Competitive Bidding Request Form

<b>DHHS/DCM Contract Administrator:</b>	Nancy Tan / Lisa Munster	<b>Office/Division/Program of Contract Administrator:</b>	DHHS/SAMHS Sara Wade
<b>Est. Contract Amount:</b>	\$ 20,000.00	<b>Contract or RQS Number:</b>	10A 20190416*2970
		<b>Purchasing Maine ID:</b>	
		<b>DHHS Agreement Number:</b>	MH4-20-1026
<b>Proposed Start Date:</b>	7/1/2019	<b>Proposed End Date:</b>	6/30/2021
<b>Vendor/Provider Name, City, State</b>	Syntiro Readfield, ME		
<b>Short Description of Good or Service:</b>	Fiscal Agent for Quality Improvement Council		
<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>		<i>To be completed by the Division of Procurement Services</i> Posting dates on Division of <i>Procurement Services</i> website: From: <u>06/07/2019</u> To: <u>06/13/2019</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0620190902	
<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>	<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i> <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.		
<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 QIC (Quality Improvement Committee) is a federally mandated planning and advisory council for the State of Maine. The fiscal agent is needed to process timely payments and reimbursements to the members of the QIC for travel, training, and child care.

The Department is providing funding in the amount of \$10,000 each year for (2) years (Federal Mental Health block grant monies) to support the state-wide Quality Improvement Council (QIC). QIC funds shall be used to pay the appropriate expenses of the QIC including mileage reimbursement, child care, meeting facilitators and other technical assistance, room rental, interpreters, and other costs. Invoices for these expenses are approved by the DHHS designee and are submitted to the Provider for payment. The Provider shall provide a report on the status of the budget and each payment made upon request. The provider shall process IRS1099 forms for each person who receives over \$600 in payments from a QIC, separating travel reimbursement payments from stipend payments.

## 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 act as fiscal agent for contract agencies and does not have the staffing capacity to provide this 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 contract cost is a distinct savings from the previous provider. The administrative fee burden has gone from 25 % down to 8 % (a 17% reduction).

Per recommendation from the QIC, SAMHS contacted one other agency and their administrative fee was 18%, a 10% difference. The Syntiro contract has significantly reduced the yearly administrative cost for fiscal processing and this puts more funds back into the QIC to increase consumer advocacy and advisory role. With the research we completed, this is the best administrative fee overall and provides the best cost savings for the QIC.

## 5. Future Competition

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

The department will RFP F2019036 with a contract start date of 7/1/2021.

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 QIC voted to accept this provider based on their knowledge of the agency and by contracting with this provider, it would be able to put significantly more funds into the service itself.

The provider is unique in that it provides a low cost fiscal agent fee compared to another agency SAMHS contacted per recommendation of the QIC.

Syntiro provides professional, personal and technical assistance. This agency provides consumer oriented services and timely fiscal reports.

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

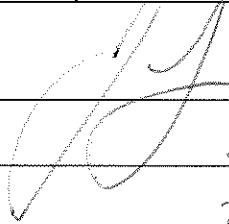
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e.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

  
 Jim Lapostola  
 24 - May - 19