

# State of Maine Waiver of Competitive Bidding Request Form

<b>DHHS/DCM Contract Administrator:</b>	Chris Moiles/Valerie Fredericks	<b>Office/Division/Program of Contract Administrator:</b>	Jennifer Levesque
<b>Est. Contract Amount:</b>	Original: \$464,850.00	<b>Contract or RQS Number:</b>	20180927000000001153
	Amendment: \$773,002.85	<b>Purchasing Maine ID:</b>	
	New Total: \$1,237,852.85	<b>DHHS Agreement Number:</b>	CFS-19-620B
<b>Proposed Start Date:</b>	<b>5/1/2019</b>	<b>Proposed End Date:</b>	6/30/2020
<b>Vendor/Provider Name, City, State</b>	Spurwink Services 901 Washington Ave., Suite 100 Portland, ME 04103		
<b>Short Description of Good or Service:</b>	Assisting DHHS with Recruiting Resource Families for Youth in Foster Care, as well as assisting OCFS in increasing the number of recruited adoptions for children in DHHS custody without an identified permanent family.		
<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>6/11/2019</u> To: <u>6/17/2019</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0620190934	
<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.			
	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>	
		<b>Signature:</b>	
		<b>Printed Name:</b>	<b>Date:</b>
	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: <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>.</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;		

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	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.	
<b>X</b>	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.**

**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 purpose of this Amendment is to incorporate a pilot program, Adoption Recruitment, into the current contract. This Amendment also extends the end date of the current contract by seven (7) months.

The purpose of the Adoption Recruitment Amendment is to assist OCFS in increasing the number of recruited adoptions for Youth in DHHS custody without an identified permanent family. When Youth are in DHHS custody without an identified permanent family it results in them languishing in Foster Care longer than necessary or appropriate for their development.

OCFS currently serves approximately 150 Youth annually that are legally cleared for Adoption in Foster care without an identified permanent family. OCFS completed thirty (30) recruited Adoptions in 2018. The goal of this pilot is to match sixty (60) targeted Youth to permanent families by the end of the twelve (12) month pilot.

The Adoption Recruitment Amendment will target Youth currently in DHHS custody living in Foster Homes or in residential care that don't have an identified permanent family.

This Adoption Recruitment Amendment will assist DHHS in meeting the Strategic Plan Goal of increasing the number of Adoptions of Youth over nine (9) years old, sibling groups, and Youth in care for more than twenty-four (24) months. It will also assist DHHS in increasing the number of recruited Adoptions that occur within twelve (12) months of the Termination of Parental Rights order by the Court.

**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 and any other governmental entity currently does not have the resources available 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 Provider has created a budget that is fair and reasonable for this Amendment.

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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.

The Foster/Resource Parent Recruitment Services were originally competitively procured under RFP 201412879. The Department intends to competitively bid the Foster/Resource Parent Recruitment Services along with these additional pilot services, if successful, for a 7/1/2020 contract start date (T2018091).

**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.

Spurwink Services currently holds the contract from the Foster and Resource Family Recruitment Contract. The purpose of the Foster and Resource Family Recruitment Contract is to provide a Statewide recruitment program to meet the placement needs to the Youth currently in Foster Care, those expected to enter Foster Care, as well as those who need an identified legal permanent family. The Provider is currently tracking and adjusting an effective Statewide Diligent Recruitment Program for Resource Families that are willing and able to provide safe, and appropriate Foster Care Placement for Youth in Care.

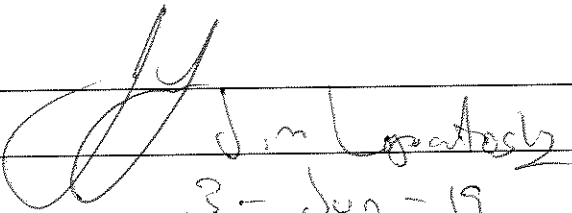
In this same contract Spurwink assists OCFS in recruiting adoptive families. They coordinate the Maine Heart Gallery and plan all OCFS's adoption recruitment events. Because of the work in this contract Spurwink has a working relationship with OCFS Adoption staff and many of the adoptive families and children that will be participating in the pilot project.

The Adoption Recruitment Pilot matches with what the Provider is currently doing and builds on it. The Adoption Recruitment Pilot will be assisting OCFS in recruiting more adoptive families. The Provider has the knowledge of the DHHS-OCFS system, the District Offices and the policies that DHHS-OCFS is governed by.

## 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.

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<b>Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):</b>	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
<b>Printed Name:</b>	
<b>Date:</b>	3 - Jun - 19