

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 Elizabeth Heath	Office/Division/Program of Contract Administrator:	DHHS/DLC/RHPC/Belinda Golden
Est. Contract Amount:	\$ 500,000.00	Contract or RQS Number:	10A 20190513*3376
		Purchasing Maine ID:	
		DHHS Agreement Number:	CD0-20-2253
Proposed Start Date:	7/1/2019	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State	Maine Primary Care Association Augusta, Maine		
Short Description of Good or Service:	Funds will be used to support access to primary medical, behavioral health and dental services to residents of the State in rural and underserved communities and to assist with provider recruitment and retention.		
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.		To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>6/12/2019</u> To: <u>6/18/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620190960	
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:
X	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;		

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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.	
	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	

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 127th State of Maine Legislature passed 22 M.R.S.A. § 259 "Support for Federally Qualified Health Centers". This provides for a total of \$500,000/ year to be dispersed to the Federally Qualified Health Centers (FQHCs). Per legislative determination funds will be used to support access to primary medical, behavioral health and dental services to residents of the State in rural and underserved communities and to assist with provider recruitment and retention.

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 does not have the staff, resources and expertise 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 budget was determined by the 127th legislature and approved by Maine DHHS senior leadership and given the unique role of the Maine Primary Care Association as the membership organization responsible for providing Quality Assurance and Improvement technical assistance as they are the only entity capable of coordinating the required activities. The amount of four hundred and sixty thousand dollars will be disbursed, through the Maine Primary Care Association, to twenty federally qualified health centers providing each facility twenty-three thousand dollars. The remaining balance of forty thousand dollars will remain with the Maine Primary Care Association for payment processing and communications and marketing for all federally qualified health centers.

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 competitively procure the services at this time.

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 Primary Care Association (vendor) has an exclusive relationship with Maine's Federally Qualified Health Center grantees and assists in clinical quality improvement initiatives. In representing all FQHC's, The Maine Primary Care Association (MPCA) will act as a fiscal agent to disperse the funds. Additionally, they will aggregate the data from services, specifically, primary care, oral health or behavioral health interventions as well as recruitment and retention of essential health care providers to support a state-level analysis.

The vendor has extensive experience providing technical assistance and training, housing relevant programs and services and advocating on behalf of Maine's FQHCs and the people these sites serve.

The vendor exists to:

- Strengthen Maine's Health Centers with programs and services ranging from advocacy efforts to clinical quality improvement initiative, from workforce development to community outreach, from health information technology to emergency preparedness planning from strategic planning to technical assistance.
- Amplify messages, shared among health centers.
- Bridge both medical practices and the public health sector.
- Provide the linkages to community, state and federal partners including allied health agencies and public health.

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.

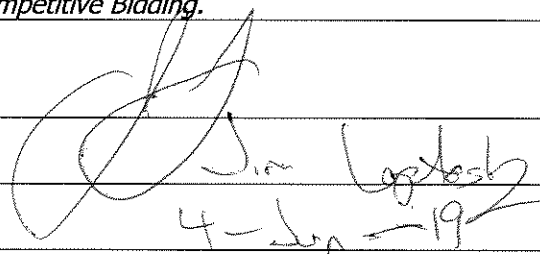
N/A

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:



Jim Laposh
4-Jan-19