

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Chris Moiles / Valerie Fredericks	Office/Division/Program of Contract Administrator:	DHHS/OCFS Lisa Salger
Est. Contract Amount:	\$171,628.00	Contract or RQS Number:	20190426000000003165
		Purchasing Maine ID:	
		DHHS Agreement Number:	CBH-20-7000
Proposed Start Date:	7/1/2019	Proposed End Date:	6/30/2021
Vendor/Provider Name, City, State	Woodfords Family Services Westbrook Me.		
Short Description of Good or Service:	BHP Certification and Training; OQMHP certification		
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>6/13/2019</u> To: <u>6/19/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620190972	
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;		
	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:		

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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.

This service was RFP'd in 2016 and the provider's original bid totaled \$785,357. This BP37WCB is supplemental and intended to justify the cost increase of \$171,628.00 associated with an increase in the number of Behavioral Health Professionals (BHPs) being trained. This has created a need to increase staffing, purchase additional licenses for the Learning Management System, and additional cost for the supplies needed to complete the trainings.

The Department is responsible for establishing training and certification for Behavioral Health Professionals (BHP), Certified BHP Instructors, and Other Qualified Mental Health Providers (OQMHP) as required by MaineCare regulations. Providing training and certification services to individuals who provide behavioral health services ensures the developmental health and safety needs of the State's Youth. Training and certification requirements can be found in MaineCare regulations in Chapter 2, Sections 28 and 65. Refer to: 10-144 C.M.R. ch. 101, ch. 2, §§ 28.08-2 and 65.06-9. E

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 State of Maine does not have the resources 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 increase in cost over the RFP amount is to meet the needs of the expected work for the next two years which includes an increased number of BHP's being trained which also creates an increased need in materials to complete the trainings.

5. Future Competition

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

These additional services will be incorporated into the next competitive procurement for a new contract start date of 1/1/2022.

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 Provider won the Award in the 2016 RFP.

The Provider delivers the BHP Program training in a Blended Training format combining online and in-person training. A training to certify BHP Instructors is also provided. The Provider reviews the documentation submitted by agencies for the OQMHP Program to verify and provide certification.

The Provider has been delivering this service for many years and has redesigned the curriculum to reflect most recent research on the topic. They have developed an online curriculum which allows for a greater number of individuals to participate in the training. They still provide the option for classroom trainings for those who prefer this style of learning. The Provider has in depth knowledge of the BHP Certification and how individuals learn both of which affords them the ability to Provide the best training opportunities that accommodate everyone's needs.

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

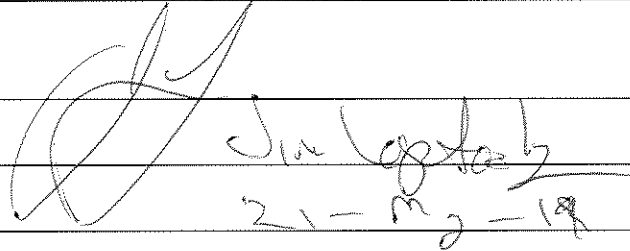
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e.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



The signature is a cursive signature that appears to read "John Leggett". Below the signature, the date "21-MAY-18" is handwritten.