

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:	Tonya Philbrick
Est. Contract Amount:	\$ 559,775.00 (\$380,962 orig. + \$178,813 amend)	Contract or RQS Number:	CT 10A 201804170*3177
		Purchasing Maine ID:	
		DHHS Agreement Number:	CD0-19-5251A
Proposed Start Date:	7/1/18	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State	Medical Care Development, Inc. 11 Parkwood Drive Augusta, Maine 04330		
Short Description of Good or Service:	Immunization Services		
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 <i>Procurement Services</i> website: From: <u>6/17/2019</u> To: <u>6/23/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620190999	
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.			
<p>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;</p> <p>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;</p>			
<p><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></p>		<p><i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i></p> <p>Signature:</p>	
		Printed Name:	Date:
<p>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;</p> <p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;</p> <p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p>			
<p><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></p>			
<p>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;</p>			

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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.	
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.

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.

Under the Department's Cooperative Agreement with the U.S. Centers for Disease Control and Prevention (CDC), the Department's Maine Immunization Program (MIP) is working to eradicate vaccine preventable diseases in the State of Maine. The Cooperative Agreement contains a number of required activities to ensure that enrolled providers meet the minimum Vaccines for Children(VFC) Program standards for eligibility screening, storage and handling, staff training, partnerships, and outreach education activities in the community. As part of this Cooperative Agreement, MIP is also charged with increasing immunization rates for people of all ages within our state. Of critical importance is the requirement that all providers enrolled in the VFC Program receive regular compliance visits as well as site visits to assist healthcare providers in increasing immunization rates. These visits must be conducted onsite and in person by trained staff as defined in the Immunizations Program Operations Manual (IPOM) and the Provider Agreement. MIP is also required to engage enrolled sites in education and training related to vaccination best practices and updates to any and all VFC and federal requirements. These activities are funded under this Cooperative Agreement by U.S. CDC. At this time, MIP is seeking to augment the contract with Medical Care Development that supplies the staffing needed to ensure MIP is able to meet all federal requirements of the Cooperative Agreement.

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 have sufficient staffing, resources, or expertise available within the State of Maine's government, or other governmental entities 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 costs align with the cost proposal of the original RFP for this service, RFP 201612226, and the resulting contract.

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 7/1/2021.

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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.

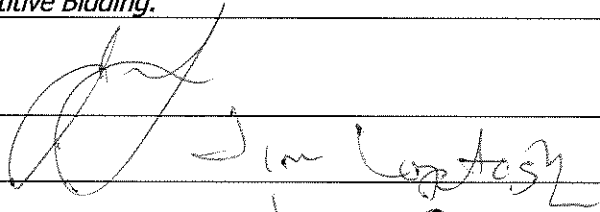
6. Uniqueness

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.

The services being solicited are unique to the Cooperative Agreement with the U.S. CDC and the Vaccine for Children program. Specific regulations and protocols must be followed by the contractor. The current contractor is already conducting the same services needed and is thoroughly trained in the protocols required under the cooperative agreement. The additional FTE's requested will conduct the same services as the initial contract and MCD will be able to provide these services in a timely and consistent manner.

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):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
Printed Name:	
Date:	12-dec-19