

# State of Maine Waiver of Competitive Bidding Request Form

<b>DHHS/DCM Contract Administrator:</b>	Chris Moiles/Mary Alderman	<b>Office/Division/Program of Contract Administrator:</b>	DHHS/OCFS Lisa Salger
<b>Est. Contract Amount:</b>	\$ \$6,175,468.00	<b>Contract or RQS Number:</b>	
	See attached list	<b>Purchasing Maine ID:</b>	
		<b>DHHS Agreement Number:</b>	CFS-20-14XX (See attached list)
<b>Proposed Start Date:</b>	<b>7/1/2019</b>	<b>Proposed End Date:</b>	6/30/2021
<b>Vendor/Provider Name, City, State</b>	See attached list		
<b>Short Description of Good or Service:</b>	Early Head Start and Head Start <span style="float: right; font-family: cursive;">PM-17601</span>		
<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 <i>Procurement Services</i> website: From: <u>6/18/2019</u> To: <u>6/24/2019</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0620191004	
<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;		
	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.		

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<b>X</b>	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	Federally Directed to use these Providers
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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 purpose of Head Start Services is to provide eligible Maine children, either directly or through referral, early, intensive, and comprehensive child development and family support services that will enhance the physical, social, emotional, and intellectual development of participating children. The Head Start Program performance standards mandate a set of comprehensive services that include: child health and developmental services, education and early childhood development, child health and safety, child mental health, family partnerships, services to pregnant women, services for children with disabilities. The primary mission has been to promote school readiness through a comprehensive, integrated set of strategies and services. The services supported by these funds must align with Federal Head Start Performance standards. This is a renewal of an agreement to provide the Head Start Programming. The Program will ensure that eligible Maine children will receive high quality, comprehensive early care and education services that foster children's growth and development by supporting and nurturing their social, emotional, cognitive, and physical development. The Department of Health & Human Services has had a long-standing contractual relationship with this contractor to provide Head Start services.

**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.

There are no State of Maine 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 amount of state funds assigned to each Head Start grantee has remained the same for many years since the early 1990's. The original allocations were based on a determination of unmet need in each county. The original allocation of Head Start funds happened over 25 years ago, therefore OCFS does not have documentation of the original allocation work plan. The amount allocated will ensure that eligible Maine Children will receive high quality, comprehensive early care and educational services.

**5. Future Competition**

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

These State Head Start funds are allocated to Federally designated agencies, Administration for Children and Families, U.S. Department of Health and Human Services.

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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.**

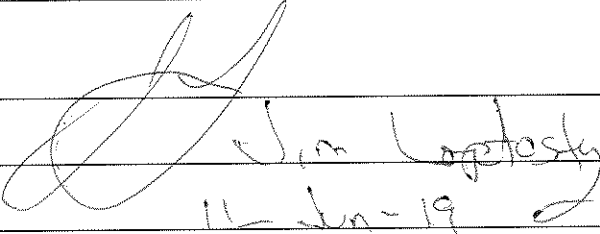
**6. Uniqueness**

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.

These Head Start funds must be awarded to the agencies competitively selected and awarded the Federal Head Start Program by the Administration for Children and Families, U.S. Department of Health and Human Services. An agreement supporting a single Head Start program for the State of Maine was signed by the Maine DHHS and the US DHHS on 5/10/2000. This agreement states that Maine has the authority to allocate State funds to existing Federal grantees only.

**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.

<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>	11-20-19

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Office: OCFS  
 Service Group: Early Head Start & Head Start  
 No. of Vendors: 11

Vendor	CT	Agreement Number	Start Date	End Date	Agreement Amount
Androskoggin Head Start and Child Care dba Promise Early Education Center	CT 10A 20190506000000003273	CFS-20-1400	7/1/2019	6/30/2021	\$490,928.00
Aroostook County Action Program, Inc.	CT 10A 201906070000000003745	CFS-20-1401	7/1/2019	6/30/2021	\$490,928.00
Community Concepts, Inc	CT 10A 201906070000000003757	CFS-20-1405	7/1/2019	6/30/2021	\$878,558.00
Downeast Community Partners	CT 10A 201906070000000003756	CFS-20-1402	7/1/2019	6/30/2021	\$490,928.00
Kennebec Valley Community Action Program	CT 10A 201906070000000003748	CFS-20-1406	7/1/2019	6/30/2021	\$490,928.00
Midcoast Maine Community Action Program	CT 10A 201906070000000003746	CFS-20-1404	7/1/2019	6/30/2021	\$490,928.00
Penquis CAP, Inc.	CT 10A 201906070000000003758	CFS-20-1407	7/1/2019	6/30/2021	\$878,558.00
Southern Kennebec Child Development Corporation	CT 10A 201906070000000003752	CFS-20-1409	7/1/2019	6/30/2021	\$490,928.00
The Opportunity Alliance	CT 10A 201906070000000003754	CFS-20-1408	7/1/2019	6/30/2021	\$490,928.00
Waldo Community Action Partners	CT 10A 201906070000000003750	CFS-20-1410	7/1/2019	6/30/2021	\$490,928.00
York County Community Action Corporation	CT 10A 201906070000000003759	CFS-20-1411	7/1/2019	6/30/2021	\$490,928.00
				<b>Grand Total</b>	<b>\$6,175,468.00</b>