

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Chris Moiles/Mary Alderman	Office/Division/Program of Contract Administrator:	DHHS/OCFS/Rebecca Harvey		
Est. Contract Amount:	See Addendum	Contract or RQS Number:			
		Purchasing Maine ID:			
		DHHS Agreement Number:	See Addendum		
Proposed Start Date:	7/01/2019	Proposed End Date:	6/30/2020		
Vendor/Provider Name, City, State	See Attached Addendum				
Short Description of Good or Service:	Out of State Room and Board				
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>6/18/2019</u> To: <u>6/24/2019</u>			
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620191005			
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>	By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement. Signature: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Printed Name:</td> <td>Date:</td> </tr> </table>		Printed Name:	Date:
Printed Name:	Date:				
	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.				

State of Maine Waiver of Competitive Bidding Request Form

X	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	Willing and Qualified
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.		
<p>The State of Maine is required to serve youth who require residential treatment services related to intellectual, developmental and physical disabilities, vision and hearing impairments, complex medical conditions and behavioral challenges. Many of these youths require the highest level of residential treatment due to extreme aggression towards self and others, with potential for severe injury. The care of these children necessitates the highest degree of staffing and residential treatment. Maine does not have the resources, and there are too few children in the state with these significant needs, to create, and operate a specific program to provide these services.</p>		
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.		
<p>These services are not available in the State of Maine. No other state, or local resources are available to provide these services. Maine does not have the resources, and there are too few children with these significant needs to create, and operate a specific program to provide these services.</p>		
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 .		
<p>The Standard Out of State Room and Board Rate is being used: \$54.45/day.</p>		
5. Future Competition		
Please describe potential opportunities which may be available to foster competition for these goods or services in the future.		
<p>Placements are made with qualified and willing providers. The Department does not intend to RFP these services.</p>		
Please note that <u>only one</u> of the two points below ("Uniqueness" or "Timeframe") requires a response. Requesting Departments are not required to respond to both points.		

State of Maine Waiver of Competitive Bidding Request Form

6. Uniqueness

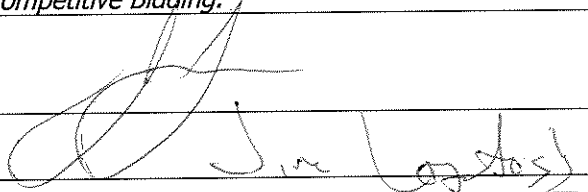
Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary data, also explain the necessity of these particular unique assets.

Each Out of State Residential Placement provides 24- hour residential care to youth who require intensive therapeutic and educational support. These Residential Programs work with youth on coping with mental health challenges, emotional difficulties, developmental disabilities, and challenging behaviors and/or the trauma caused by abuse and neglect.

The goal of Residential Placement at these out of state placements is to engage the youths legal guardians in treatment, to strengthen the youths ability to participate in the communicatee and to return to return to a less restrictive environment as quickly as possible.

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:	13 - Jun - 19

State of Maine Waiver of Competitive Bidding Request Form

Office: Office of Child and Family Services
Service Group: Out of State Room and Board
No. of Vendors: 16

Vendor	Agreement Number	CT	Start Date	End Date	Total Agreement Amount
The Learning Center for the Deaf, Inc.	CBH-20-8000	CT 10A 20190610000000003793	7/1/2019	6/30/2020	\$19,876.00
Easter Seals New Hampshire, Inc.	CBH-20-8001	CT 10A 20190610000000003786	7/1/2019	6/30/2020	\$576,348.00
American School for the Deaf	CBH-20-8006	CT 10A 20190610000000003775	7/1/2019	6/30/2020	\$19,876.00
Crotched Mountain Rehabilitation Center, Inc	CBH-20-8007	CT 10A 20190610000000003778	7/1/2019	6/30/2020	\$19,876.00
Vermont Permanency Initiative Inc dba Bennington School	CBH-20-8011	CT 10A 20190610000000003798	7/1/2019	6/30/2020	\$99,372.00
Walden Behavioral Care, LLC	CBH-20-8012	CT 10A 20190610000000003799	7/1/2019	6/30/2020	\$19,876.00
Crystal Springs, Inc. c/o Business Office	CBH-20-8013	CT 10A 20190610000000003785	7/1/2019	6/30/2020	\$19,876.00
Piney Ridge Treatment Center, LLC	CBH-20-8014	CT 10A 20190610000000003797	7/1/2019	6/30/2020	\$19,876.00
Hillcrest Educational Centers Inc.	CBH-20-8015	CT 10A 20190610000000003787	7/1/2019	6/30/2020	\$19,876.00
Habilitation Center LLC dba Millcreek of Arkansas	CBH-20-8016	CT 10A 20190610000000003788	7/1/2019	6/30/2020	\$79,496.00
Lakeland Behavioral Health	CBH-20-8017	CT 10A 20190610000000003795	7/1/2019	6/30/2020	\$19,876.00
PHC of Utah	CBH-20-8018	CT 10A 20190610000000003796	7/1/2019	6/30/2020	\$39,748.00
Rolling Hills	CBH-20-8019	CT 10A 20190610000000003794	7/1/2019	6/30/2020	\$99,372.00
Carbondale Neurorestorative	CBH-20-8020	CT 10A 20190610000000003777	7/1/2019	6/30/2020	\$19,876.00
Judge Rotenberg Center	CBH-20-8021	CT 10A 20190610000000003789	7/1/2019	6/30/2020	\$91,929.00
Rising Ground	CBH-20-8022	CT 10A 20190610000000003790	7/1/2019	6/30/2020	\$39,748.00
				Grand Total	\$1,204,897.00

Out of State: Room & Board

Office OCFS

Start Date 7/1/2019

Agreement	Vendor	Original or Amend Amount	Rider A Approved	To Vendor Signature	To DAFS Encumbered CA	SPOC	SL* MVA
CBH-20-8006	American School for the Deaf	\$19,876.00	6/12/2019		Mary Alderman	Elizabeth Heath	Yes No
CBH-20-8020	Carondele Neurorestorative	\$19,876.00			Mary Alderman	Debbie Weston	Yes No
CBH-20-8007	Crotched Mountain Rehabilitation Center, Inc	\$19,876.00	6/12/2019		Mary Alderman	Ryan Roberts	Yes No
CBH-20-8013	Crystal Springs, Inc. c/o Business Office	\$19,876.00	6/12/2019		Mary Alderman	Patti Wall	Yes No
CBH-20-8001	Easter Seals New Hampshire, Inc.	\$576,348.00	6/12/2019		Mary Alderman	Lisa Munster	Yes No
CBH-20-8016	Habilitation Center LLC dba Millcreek of Arkansas	\$79,496.00	6/12/2019		Mary Alderman	Lisa Munster	Yes No
CBH-20-8015	Hillcrest Educational Centers Inc.	\$19,876.00	6/12/2019		Mary Alderman	Lisa Munster	Yes No
CBH-20-8021	Judge Rotenberg Center	\$91,929.00			Mary Alderman	Patti Wall	Yes No
CBH-20-8017	Lakeland Behavioral Health	\$19,876.00	6/12/2019		Mary Alderman	Patti Wall	Yes No
CBH-20-8018	PHC of Utah	\$39,748.00	6/12/2019		Mary Alderman	Patti Wall	Yes No
CBH-20-8014	Piney Ridge Treatment Center, LLC	\$19,876.00	6/12/2019		Mary Alderman	Patti Wall	Yes No
CBH-20-8022	Rising Ground	\$39,748.00	6/12/2019		Mary Alderman	Lisa Munster	Yes No
CBH-20-8019	Rolling Hills	\$99,372.00	6/12/2019		Mary Alderman	Patti Wall	Yes No
CBH-20-8000	The Learning Center for the Deaf, Inc.	\$19,876.00	12/1/1996		Mary Alderman	Ryan Roberts	Yes No
CBH-20-8011	Vermont Permanency Initiative Inc dba Bennington School	\$99,372.00	6/12/2019		Mary Alderman	Debbie Weston	Yes No
CBH-20-8012	Walden Behavioral Care, LLC	\$19,876.00	6/12/2019		Mary Alderman	Debbie Weston	Yes No

Agreement Count: 16 Service Group Total: \$1,204,897.00