

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 / Lisa Munster	Office/Division/Program of Contract Administrator:	Maine CDC / Disease Prevention and Control/Nicole Breton
Est. Contract Amount:	\$72,926.00	Contract or RQS Number:	2019041000000002890
		Purchasing Maine ID:	
		DHHS Agreement Number:	CD0-20-4516
Proposed Start Date:	7/1/2019	Proposed End Date:	6/30/2021
Vendor/Provider Name, City, State	National Foundation of Dentistry for the Handicapped Denver, CO 80202		
Short Description of Good or Service:	Program and Service Delivery Coordination		
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.		<i>To be completed by the Division of Procurement Services</i> Posting dates on Division of Procurement Services website: From: 6/19/2019 To: 6/25/2019	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620191017	
I. 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.			
<input type="checkbox"/>	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;		
<input type="checkbox"/>	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;		
<input type="checkbox"/>	<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:	
<input type="checkbox"/>		Printed Name:	Date:
<input checked="" type="checkbox"/>	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;		
<input type="checkbox"/>	D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;		
<input type="checkbox"/>	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;		
<input type="checkbox"/>	<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>		
<input type="checkbox"/>	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;		
<input type="checkbox"/>	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.		
<input type="checkbox"/>	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) <u>all</u> require a response.			

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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.

A significant number of individuals in Maine who are disabled, elderly and medically compromised have no public or private coverage for dental care and cannot otherwise afford to purchase the care they need. The Donated Dental Services Program, administered in at least 40 states by the National Foundation of Dentistry for the Handicapped dba Dental Lifeline Network (www.dentallifeline.org) provides essential dental care to such persons by soliciting volunteer dentists to provide services to eligible individuals, working through a part-time coordinator who matches patients to appropriate dental providers. This contract supports the coordinator's position in Maine and helps to offset certain other expenses. The program in Maine, our relationship with NFDH, and this contract, established pursuant to PL Ch. 401 (119th Legislature), have been in place since 1999, and this contract has been funded consistently since then as a separate budget line item.

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 provide direct clinical dental services, is not prepared to provide, nor is there staffing within the Department or via other governmental resources to provide the services that the National Foundation of Dentistry for the Handicapped (NFDH) offers through the Donated Dental Services Program.

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 contract arrangement with NFDH is for a part-time coordinator and a few associated expenses. NFDH makes the program budget fit what is available from the state, and seeks out supplemental funding from time to time, for example to offset dental laboratory costs if needed. NFDH's administrative costs are very low, 2.9% of total program expenses in the previous year, and the program is operated efficiently. Through the third quarter of SFY 17, volunteers donated \$8.35 worth of care for every dollar spent supporting contributed services.

5. Future Competition

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

The legislature's intent (PL Ch. 401 [119th Legislature]) was to contract this program to this sole source. The Department does not intend to RFP these services.

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

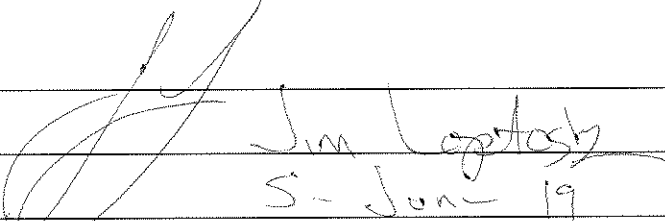
Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary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

NFDH manages Donated Dental Services programs in 38 or more of the states with which it collaborates, many of which are also supported by their state governments. There is no other entity that provides this kind of programmatic support, which includes training for the coordinator, centralized data management and support, and technical assistance. Because the Foundation coordinates this function, it can do so cost-effectively and efficiently with centralized program management and localized program coordination. Administrative costs are 2.9% of total program expenses. In addition, it was the intent of the 119th Legislature that the program be implemented and managed by the NFDH.

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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:	5 - June - 19