

## State of Maine Waiver of Competitive Bidding Request Form (Formerly Sole Source Authorization Form)

<b>Requesting Department's Contract Administrator:</b>	Raymond Bernier	<b>Office/Division/Program of Contract Administrator:</b>	Division of Juvenile Services
<b>Est. Contract Amount:</b>	\$ 200,000	<b>Contract or RQS Number:</b>	03A 20190405000000002842
<b>Proposed Start Date:</b>	<b>July 1, 2019</b>	<b>Proposed End Date:</b>	<b>June 30, 2020</b>
<b>Vendor/Provider Name, City, State</b>	Catholic Charities Maine P.O. Box 10660 Portland, Maine 04104		
<b>Short Description of Good or Service:</b>	Functional Family Therapy (FFT)		
<b>Please note, for transparency purposes, Waivers of Competitive Bidding will be publicly posted. Public postings are placed on the Division of Purchases' website for a period of seven consecutive calendar days.</b>		<b>To be completed by the Division of Purchases</b> Posting dates on Division of Purchases' website: From: <u>06/19/2019</u> To: <u>06/25/2019</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 0620191025	
<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.			
<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;		
	<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>
<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;		
	<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 Purchases "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>		
<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:		
<b>Please note that the following four points below (#2 through 5) all require a response.</b>			

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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.) The Department of Corrections (DOC) has a need to reduce the number of youth incarcerated, in detention and to lower the recidivism rate utilizing evidence based practice models.
- b.) The mission of the Division of Juvenile Services (DJS) is to promote public safety by ensuring juveniles under DOC jurisdiction are provided with risk-focused interventions, quality treatment, and other services that teach skills and competencies; strengthen pro social behaviors to reduce the likelihood of re-offending and require accountability to victims and communities. DOC has determined Functional Family Therapy (FFT) is appropriate for meeting the above stated need. All referred youth will have an opportunity to benefit from this evidenced based treatment program focused on family therapy, proven to reduce recidivism and improve the functionality of youth involved with the DOC. Please reference Revised Maine Statute Title 15: Part 6: Chapter 501: 3002-Purpose and Construction.

## 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.

- a.) The DOC does not have sufficient staff or the expertise to deliver FFT. Provider's licensed clinical staff is trained through FFT, Inc. in delivering this evidence based model.
- b.) FFT is supported by DOC and the Department of Health and Human Services (DHHS). DOC and DHHS collaborate to determine the most logical approach, financially, to ensure sustainability for this evidence based practice.

## 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**.

This evidenced base program has data showing their success in significantly reducing risk of recidivism with high risk youth. Since Maine's inception of this practice, there are less youth being detained and committed. This has created significant cost savings to the State of Maine. The data has shown that the youth completing this program are more likely to remain in the home and are less likely to require residential treatment, another significant savings to the State. The funds in this contract are going to support all youth without MaineCare. Those youth with a private insurance provider will also be able to access this service. The base rate in this contract is the rate established and used by MaineCare. FFT's cost effectiveness was reflected in a cost benefit analysis completed by Washington State Institute for Public Policy (WSIPP) as it shows that for every \$2,325 (average cost of completed service delivery) spent on FFT the benefit in return to tax payers and crime victims was \$31,821. Another study completed by WISSP found out that when FFT was delivered competently, the program reduces felony recidivism by 38% and that the cost benefit analysis on FFT generates \$2.77 in savings (avoided crime costs) for each taxpayer dollar spent on the program, regardless of the therapist competence and, when the model is delivered with fidelity, the savings increase to \$10.69 for each taxpayer dollar spent.

## 5. Future Competition

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

Future competitions to this program will necessitate an RFP; however, with the costs associated with the start-up of a new program would strongly inhibit another site from implementing this Blue Print Model.

**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.

a.) Please see "b"

b.) FFT, Inc. is a nationally recognized program with in-depth data on effectiveness of their treatment or Blue Print Model. It is an essential component of services offered to moderate-high risk youth to reduce recidivism and is a cost effective treatment model that offers and affordable alternative to residential placement or incarceration. The Provider is one of only two agencies in the State of Maine currently licensed to deliver FFT which is recognized and promoted by various national organizations such as Office of Juvenile Delinquency Prevention (OJDP) and Substance Abuse and Mental Health Administration's (SAMHSA) national Registry for Evidence-Based programs and Practices (NREPP), for delivering effective outcomes in their work with moderate to high risk youth, including those under the supervision of DOC. The therapists and supervisors have spent a significant amount of time receiving specialized training in this proprietorship, including on-going weekly consultation through their corporate offices to ensure this model is being delivered with the highest possible fidelity possible. The attained knowledge and skills in these on-going trainings and consults are directly applied to the treatment they deliver to assist youth and families in strengthening their skills and competencies needed to reduce the likelihood of re-offending.

c.) FFT is a proprietary practice. FFT, Inc. was formed in 1998 for the purpose of leading the systematic replication of Functional family Therapy and assisting and collaborating in the on-going scientific inquiry into the model.

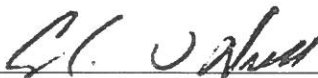
The FFT intervention is evidence based, culturally sensitive family therapy model for at risk and delinquent youth. It was created by Dr. James Alexander and Dr. Bruce Parsons in the late 1960's. Its first randomized clinical trial was completed in 1971 and demonstrated significant reductions of youth recidivism and sibling entry into the youth service systems.

### 7. Timeframe

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:**

Colin O'Neill

**Date:**

6/10/2019

