

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:	Matt Galletta	Office/Division/Program of Contract Administrator:	Wendy Waltz, Financial Analyst, RPC
Est. Contract Amount:	\$ 10,000.00	Contract or RQS Number:	CT 10A 20190531*3623
		Purchasing Maine ID:	
		DHHS Agreement Number:	RPC-20-052
Proposed Start Date:	07/01/2019	Proposed End Date:	06/30/2020
Vendor/Provider Name, City, State	Lives In The Balance 85 Exchange Street, Suite 201 Portland, ME 04101		
Short Description of Good or Service:	Consultation, Research, Training		
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 Procurement Services website: From: <u>6/20/2019</u> To: <u>6/26/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0620191034	
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>	<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i>	
		Signature:	
		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;		

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X	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.
	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) 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.

Riverview Psychiatric Center (RPC) is in need of specialized training of specific skills to our direct support staff to decrease the incidence of violence (both verbal and physical) among our patients and staff to ensure a culture of safety and to reduce restraint and seclusion time spent by patients at RPC.

Due to recent high-level events at Riverview, management has determined that additional specialized training of staff is critical to ensure safety of staff and patients. RPC Leadership recognizes that it is imperative that staff maintain competency/proficiency with Physical Intervention strategies to improve patient safety and reduce seclusion and restraint. RPC must provide staff training that focuses on the development of skills and abilities needed to assess risk and trauma, identify escalating behaviors, and effectively assist patients to maintain control and learn safer ways of dealing with stress, anger, fear, and frustration. Staff must be provided with opportunities to maintain competency in these areas.

The key to maintaining competency, defusing / deescalating situations and being decisive and confident with abilities to reduce seclusion and restraint is to ensure staff practice skills often and include variations.

Increased competence will allow staff:

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Increased competence will allow staff:

- To proactively prevent and/or de-escalate a potential crisis situation.
- To manage a crisis situation in a therapeutic manner, and, if necessary, intervene physically to reduce the risk of harm to patients and staff.

In this manner, it is critical that RPC invest resources to hire/retain an individual who has the skill set and primary responsibilities to include the following:

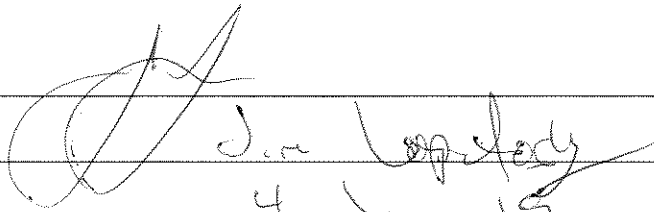
Dr. Ross Greene began providing this training during FY2018 and the Superintendent is committed to continue this important training to staff.

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 governmental entities that can provide this specific training.

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<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>	
<p>The cost of \$10,000 is broken down as follows:</p> <p>15 Supervision Sessions \$450 each = \$6,750.00</p> <p>1 Full Day Session = \$3,250.</p> <p>Cost is on par with other consultants used by The Department. Dr. Greene has provided services to a few Departments in State Government over the years including the Department of Corrections and Department of Education.</p>	
<p>5. Future Competition Please describe potential opportunities which may be available to foster competition for these goods or services in the future.</p>	
<p>The Department does not intend to RFP this service.</p>	
<p>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.</p>	
<p>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.</p>	
<p>Child psychologist Dr. Ross Greene is the originator of the Collaborative & Proactive Solutions (CPS) approach. He is also the <i>New York Times</i> bestselling author of the influential books <i>The Explosive Child</i>, <i>Lost at School</i> and <i>Lost at Found</i>.</p> <p>Riverview's current Superintendent has worked with this Provider while working as the Superintendent at Long Creek Youth Development Center and knows firsthand the benefits Riverview's staff and patients will be rewarded with by this training. Dr. Greene began providing this training in 2017 and the Superintendent is committed to continuing this specialized training for SFY 2020 as an effort to continue striving for patient and staff safety.</p>	
<p>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.</p>	
<p>Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):</p>	<p><i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i></p>
<p>Printed Name:</p>	
<p>Date:</p>	<p>4 - Jun - 19</p>