

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Nancy Tan/Debbie Weston	Office/Division/Program of Contract Administrator:	DHHS/SAMHS/MH Survey;
Est. Contract Amount:	\$ 83,962.01	Contract or RQS Number:	CT10A 20190520000000003483
		Purchasing Maine ID:	PM-18566
		DHHS Agreement Number:	MH4-19-888 A
Proposed Start Date:	6/1/2019	Proposed End Date:	12/31/2019
Vendor/Provider Name, City, State	Market Decisions Research Portland, ME		
Short Description of Good or Service:	State of Mental Health and Substance Abuse Satisfaction Survey and Evaluation		
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: 8/1/19 To: 8/7/19	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0820191308	
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.			
<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> Signature: 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; <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:		

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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.

SAMHS is responsible for services to persons with serious and persistent mental health disorders. These individuals in most instances require an array of community support services to alleviate several symptoms and to help consumers remain productive participants in society.

The Bates Consent Decree F: Paragraph 103 states the Department "... shall fund, develop, recruit and support an array of treatment services.

The purpose of this contract is to complete a consumer survey and evaluate the findings. The Order Adopting Compliance Standards was signed by the Court Master in 2007. This Order outlined the requirement for "an annual, random, statistically significant survey of class members, both at Riverview and in the community, as required by ¶279".

OCFS is required to complete a survey for the Mental Health Block Grant and provide the Federal Government/SAMHSA data by the first week of December 2019. Mental Health Block Grant funds must be used for this system survey and the spending must occur before the end of the federal fiscal year.

The purpose of this amendment is to add funding for the Provider to send out a pre-notification letter to all MH-SA Survey participants and complete a survey on behalf of DHHS-OCFS.

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 have the resources to provide these services and it would be a conflict of interest to provide evaluation services on the Department by the Department.

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**.

Costs have been negotiated with the Vendor and are based on previous similar work that has been determined fair and reasonable.

5. Future Competition

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

The Department has this service on schedule, F2019037, for a new contract start date of 7/1/2020.

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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.

Market Decisions has established a rapport with MH-SA Consumers through the process of completing the FY17 Consumer Survey. Given the short time period of this agreement and the complex nature of SAMHS's consumers, it would be difficult for another Vendor to establish trust quickly.

Through this process, Market Decisions was able to develop relationships and trust needed to successfully administer and evaluate the survey.

Market Decisions conducts both qualitative research (focus groups and interviews) and quantitative research (online, telephone and paper mailed surveys) using entirely in-house resources. Their professional staff have immense experience conducting research with intricately designed survey instruments, weighted samples, difficult to reach populations and the most advanced analytical techniques.

7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

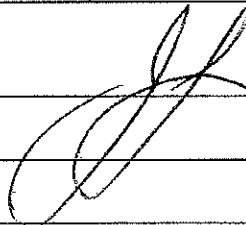
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e. 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):

By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.

Printed Name:

Date:



 J. M. Lapostolle

 12-26-19