

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:	Elizabeth Heath/Chris Moiles	Office/Division/Program of Contract Administrator:	MECD/CP/Infectious Disease Surv/Immunization
Est. Contract Amount:	\$22,161	Contract or RQS Number:	CT 10A 20180405*3009
		Purchasing Maine ID:	PM-18580
		DHHS Agreement Number:	OIT-19-100B
Proposed Start Date:	7/1/2018	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State	DXC Technology Services LLC Atlanta, GA		
Short Description of Good or Service:	Technology		
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 <i>Procurement Services</i> website: From: <u>8/1/19</u> To: <u>8/7/19</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0820191311	
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,</i>		

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	<i>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.
	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.

In June 2019, the 129th Legislature amended the Lead Poisoning Control Act to change Maine’s blood lead testing requirements (PL c. 479). Previously, children enrolled in MaineCare were required to be tested at ages 1 and 2 years, and all other children were to be tested unless a provider determined they were not at risk. With the Legislature’s action in June 2019, all children are now required to be tested at ages 1 and 2 years, regardless of their MaineCare enrollment status and risk. This change in policy necessitates changes to prompts and reports in the Blood Lead Module within ImmPact, Maine’s immunization information system, to align with Maine’s new requirements. These prompts and reports are designed to give health care providers information about patients in need of blood lead testing. Further, we have identified other modifications to some of the reports in the Module to improve the information available to providers and to the Maine Childhood Lead Poisoning Prevention Unit, such as modifying a report to indicate what kind of follow-up test a patient needs. This amendment fulfills a federal grant (Preventing Childhood Lead Poisoning in Maine, 6 NUE2EH001363-03) deliverable to modify and enhance the Blood Lead Module to support the goal of improving blood lead testing in Maine.

In addition, with this amendment, we are correcting errors to the funding streams used to support portions of the contract (i.e., funds were incorrectly encumbered under Other Special Revenue) and moving a portion of federal grant funds encumbered in the contract from SFY19 to SFY20 to align with project deliverable timelines.

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.

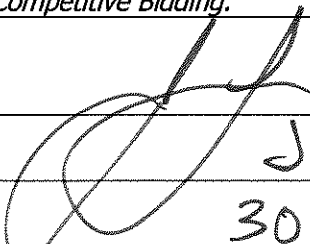
Sufficient staffing, resources, or expertise are not available within the State of Maine’s government.

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 for this amendment are based on costs for Time and Materials included in the existing contract which was awarded through a competitive RFP process.

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5. Future Competition Please describe potential opportunities which may be available to foster competition for these goods or services in the future. The amendment to this contract is in its first renewal period for RFP 201509170. A Request for Proposal will be performed for a new contract start date of 7/1/22.	
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. We are currently contracted with the immunization information system (IIS) vendor, DXC technologies. DXC supports and maintains Maine's entire IIS web application, including hosting, ongoing maintenance and enhancements. This vendor is the only vendor which can make the required modifications to the Blood Lead Module.	
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. N/A	
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:	Jim Lapostash 30-Jul-22