

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.

Requesting Department's Contract Administrator:	Pam Richards, Deputy	Office/Division/Program of Contract Administrator:	LCYDC/DOC
Est. Contract Amount:	\$ 12,250.00	Contract or RQS Number:	CT03F2019072600000000317
Proposed Start Date:	10/1/2019	Proposed End Date:	12/31/2019
Vendor/Provider Name, City, State:	University of Cincinnati Research Institute Cincinnati, OH 45206		
Short Description of Good or Service:	Provide one, 4-day Cognitive-Behavioral Interventions – Core Youth (CBI-CY) curriculum training in conjunction with a 1-day Quality Assurance 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.	<p style="text-align: center;">To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>08/01/2019</u> To: <u>08/07/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0820191314		
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.			
<p>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;</p>			
<p>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;</p>			
<p><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></p>		<p><i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i></p> <p>Signature:</p>	
		Printed Name:	Date:

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x	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;
	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.

The overarching goal at Long Creek is to promote public safety by ensuring that juveniles under Department of Correction's jurisdiction are provided with risk-focused intervention, quality treatment, and other services that teach skills and competencies; strengthen prosocial behaviors to reduce the likelihood of re-offending and require accountability to victims and communities.

To achieve that goal, we seek out evidence-based treatments to target the risk factors associated with risk. The proposed training has been developed by UCCI, the leader in the field of juvenile corrections. This training will enable us to deliver a comprehensive program to youth to target their individual risk factors. The treatment is delivered in a group setting and this training is different from others as it allows youth to enter the treatment at any time during the treatment. Currently youth must wait 10 weeks to participate in some of the risk reduction groups, adding time to their stay in secure confinement. Additionally, the current programs we use are very prescriptive, delivering the same material to youth regardless of their individual needs. Long Creek is currently

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revising their program to reduce the time youth spend incarcerated and this training will help accomplish that objective.

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 is unaware of any public resource capable of providing this specialized training. No one in the state is currently trained in this curriculum. Eventually we would like our staff to become "train the trainers" so we can be self-sufficient in delivering this 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 University of Cincinnati provides this for a set fee which covers travel, materials and the cost of the trainer. Costs are similar to other programs we have contracted with and we consider it to be 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.

As other agencies develop and validate juvenile correctional programming, there will be opportunities for competition.

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

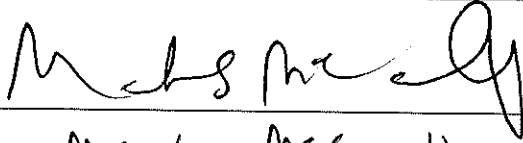
Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary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

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University of Cincinnati has a research division solely devoted to developing and validating assessment and treatment programming for corrections. We have not been able to find another vendor that has the experience and the resources that they have. While other vendors target some of the risk factors associated with reoffending, none have a comprehensive program. DOC already uses several of their assessments and quality control measures in our programming.

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:	Mark McCarthy
Date:	2/31/19