

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:	Chris Moiles / Debbie Weston	Office/Division/Program of Contract Administrator:	DHHS/OCFS Lisa Salger
Est. Contract Amount:	original \$ 288,556.00 adding \$ 23,493.00 for new total on \$312,049.00	Contract or RQS Number:	
		Purchasing Maine ID:	CT 10A 20180423*3278
		DHHS Agreement Number:	CBH-19-4006A
Proposed Start Date:	7/15/2019	Proposed End Date:	6/30/2020
Vendor/Provider Name, City, State	Autism Society of Maine Winthrop, ME		
Short Description of Good or Service:	Family Support, Professional Services		
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 <i>Procurement Services</i> website: From: <u>8/6/2019</u> To: <u>8/12/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0820191327	
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>	By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement. 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>		

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	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 Autism population is growing, and it is important that families and the broader community have an understanding of the unique needs of those affected by Autism. Families and community members must know how to respond to the needs of individuals with Autism as they relate to basic human rights, safety, education, health, providing services, and acceptance. Families report experiencing an increased ability to cope with the effects of Autism and an improved quality of life through effective natural supports. The Autism Society of Maine (ASM) is the only agency in the State whose sole mission is to respond to the needs of people with Autism Spectrum Disorders (ASD) and their families.

The Department is obligated to provide services per the following statutes:

- 34-B M.R.S.A. §6204 –
 - 1. A. directs the Department to strengthen the capacity of families, natural helping networks, self-help groups and other community resources to support and serve children in need of treatment.
 - Family organizations and youth peer programs are a critical component of these community resources and offer advocacy and family guidance and counseling;
 - 1. C. 1. Through 10. directs the Department to support services to children in need of treatment and their families in the following capacities: Advocacy; Assessment and Diagnosis; Child Development; Consultation and Education; Crisis Intervention; Family Guidance and counseling; Preventive Intervention; Professional Consultation and Training; Family Support Services; and Treatment.

Autism Society of Maine either provides these services directly or refers families to qualified providers to meet their needs.

- 34-B M.R.S.A. §1801 –
 - 2. R. defines "Family Support" services to include family education and training.
 - ASM provides a substantial amount of education and training to families impacted by Autism.
 - 2.T. defines Family Support services to include Information services.
 - ASM regularly disseminates information regarding topics relevant to families of Youth with ASD.

Autism Society of Maine provides up to date information and also will help families to self-refer for services related to the Autism diagnosis.

- 34-B M.R.S.A. §1806 – States that the Commissioner may provide family support services directly from the Department or through agreements with community agencies.

The additional funds are needed due to an increase demand and decrease in donations.

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 State of Maine does not have the available resources to provide this service.

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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**.

Services have been provided by the Autism Society of Maine (ASM) within reasonable costs of operation and creative methods to match federal funds through non-federal dollars. The agency supports its work through other funding sources, including highly visible and cost effective private fundraising activities such as Autism Awareness Month, the Walk for Autism, the Annual Ride for Autism, and the Break the Cycle event. ASM relies on donations and fundraisers to help cover the cost of its programs and activities that bring awareness and community to individuals affected by Autism Spectrum Disorders (ASD).

The additional needed funds are a result of increase demand and a decrease in donations. This was based upon the spending for the first year of the contract and the resulting deficit in funding.

5. Future Competition

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

The Autism Society of Maine is the sole Maine Chapter granted such status by the National Autism Society. The Department does not intend to RFP these services.

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.

ASM through its personnel, contracted Autism Information Specialists, and other professional collaborators is the expert source for knowledge and treatment of Autism in Maine. An interruption of these services would be harmful to families and caregivers of children with ASD and to people with Autism, as ASD is a major public health concern. The ASM is a statewide nonprofit organization that has served Maine individuals with Autism and their families, professionals, and communities by providing education, advocacy, referrals, and resource development, for over 42 years.

ASM exists to promote lifelong access and opportunity for all individuals on the Autism Spectrum to become participating members of their communities. Education, advocacy, support, and public awareness form the cornerstones of the Autism Society of Maine's efforts to carry forth their mission.

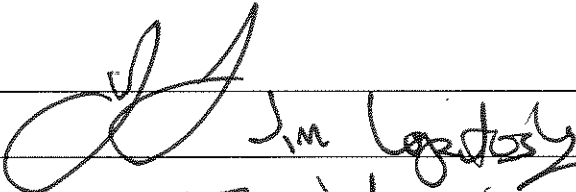
7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

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**

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

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or Chief Executive (or designee within the Commissioner's Office):	 Jim Legros
Printed Name:	
Date:	

17 - July - 19