

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:	Karen Bergeron Preschool Development Grant Director	Office/Division/Program of Contract Administrator:	Maine DOE, Early Learning Team				
Est. Contract Amount:	\$ 20,000.00	Contract or RQS Number:	CT20190807*0442				
Proposed Start Date:	7/15/19	Proposed End Date:	12/31/19				
Vendor/Provider Name, City, State:		University of Southern Maine PO Box 9300 Portland, ME 04104					
Short Description of Good or Service:		Provide grants to child care programs to achieve and maintain National Association for the Education of Young Children (NAEYC) Accreditation.					
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>08/08/2019</u> To: <u>08/14/2019</u>					
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0820191339					
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.							
<table style="width: 100%; border: none;"> <tr> <td style="width: 5%;"></td> <td style="width: 95%;">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;</td> </tr> <tr> <td></td> <td>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;</td> </tr> </table>					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;
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<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: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Printed Name:</td> <td>Date:</td> </tr> </table>		Printed Name:	Date:		
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) <u>all</u> 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.		
As determined through the Preschool Development Grant, Birth-5 awarded to Maine in January 2019, and activity 4 addressing "Share Practices that are Evidence Based," Maine will provide grants to assist child care centers and home-based programs to meet the requirement to achieve or maintain National Association for the Education of Young Children (NAEYC) Accreditation. To increase and maintain high quality child care with evidenced based practices, University of Maine working with Maine Roads to Quality Professional Development Network (MRTQ-PDN) supports programs who make the commitment to meet standards in many areas, often requiring a program to purchase equipment or materials. These grants will help alleviate a program's burden of the cost for accreditation fees, equipment and materials.		

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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.

Increasing quality of child care programs through accreditation and managing multiple grants to address these issues requires knowledge of National Association for the Education of Young Children (NAEYC) standards, experience providing such support and a management process of providing such grants. The State of Maine does not currently have staffing available to provide the needed consultation expertise to child care programs nor to manage a grant program for necessary resources. As a result, the State of Maine is seeking to contract out such services to the University of Southern Maine working with Maine Roads to Quality-Professional Development Network who has the expertise and capacity to administer the mini-grant 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**.

University of Southern Maine working with Maine Roads to Quality-Professional Development Network will charge a small management fee while the rest of the monies will go directly toward the mini-grants. Based on the number of programs seeking or renewing accreditation at this time, the typical cost of meeting this status, and the management fee, the cost of these grants is fair and reasonable. University of Southern Maine working with Maine Roads to Quality-Professional Development Network has experience and an understanding of what financial needs child care providers will have to meet the accreditation expectations.

5. Future Competition

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

In the future, there may be other opportunities for the State of Maine to support child care programs in maintaining or reaching National Association for the Education of Young Children accreditation through mini-grants. At that point, there will be an opportunity for competitive bidding.

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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.

University of Southern Maine working with Maine Roads to Quality-Professional Development Network (MRTQ-PDN) promotes and supports professionalism in the early care and education field. They provide professional development opportunities, Community of Practice groups, and technical assistance offering support to early childhood programs working to improve quality. Programs trying to achieve or maintain National Association for the Education of Young Children (NAEYC) accreditation turn to University of Southern Maine working with MRTQ-PDN for support during this process.

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:

Daniel A. Chubatz

Date:

30 Jul 2019