

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:	Chris Moiles / Lisa Munster	Office/Division/Program of Contract Administrator:	DHHS/CDC/RHPC Program – Nicole Breton
Est. Contract Amount:	\$84,000	Contract or RQS Number:	CD0-20-2215 10A 20190627*3975
Proposed Start Date:	10/1/2019	Proposed End Date:	9/30/2021
Vendor/Provider Name, City, State:	John Snow Inc Training and Research Institute, Inc. (JSI) Boston, Mass.		
Short Description of Good or Service:	Updating Statewide Rational Service Area (SRSA) for Rural Primary Care, Dental, and Mental Health 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 Procurement Services website: From: <u>8/9/2019</u> To: <u>8/15/2019</u>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0820191344		
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.

The Health Resources and Services Administration, (HRSA), through a cooperative agreement, depends upon all states and territories, including Maine, to administer programs, provide services and network with others to improve primary care service delivery and workforce availability for those in frontier, rural and underserved areas. In addition to other duties, this cooperative agreement requires the Rural Health and Primary Care Program (RHPCP), which serves as Maine's Primary Care Office (PCO), to review, create and update shortage designations.

Federal criteria must be met for an area to be designated. Just some of criteria considered in this complex process includes the area's population to provider ratio, the percent of the population at or below 100% of the federal poverty level, travel time to the nearest source of care, and other factors that vary based on Health Professional Shortage Area (HPSA) discipline. Once the data is collected and reviewed for the analysis area, a request is sent to HRSA for approval as an official shortage designation. Each designation is scored to show the severity of the shortage. Scores range from 0 to 25 (0 to 26 for dental), with 25 (or 26 for dental) having the greatest shortage. A number of federal and state programs depend upon shortage designation to determine eligibility and/or prioritize funding to the areas of highest need.

The cooperative agreement also requires all states to implement statewide rational services areas. Although Maine is one of the five states to have already created Statewide Rational Services Areas (called Primary Care Analysis Areas in Maine), they are decades old. To ensure that the previously established Areas meet our current goals and the needs of Maine residents, a multi-year process is currently underway that involves extensive data gathering, and spatial analysis.

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 sufficient staff available to provide the necessary expertise to perform these services. There is no known governmental entity that can provide the service.

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 amount proposed represents an approximate 36% reduction of the original contract, which was previously accepted as reasonable, to account for the reduction in the scope of work due to the increased responsibilities of the RHPCP staff.

5. Future Competition

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

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The Department does not intend to competitively bid 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.

There is no known vendor that can process HPSA designations as well as provide spatial analysis that is required to review and update Maine’s Statewide Rational Service Areas, a requirement under the grant award received by the Health Resources and Services Administration.

The Provider has not only developed direct statewide download routines from the Census Act to obtain demographic and socio-economic characteristics of the population to be used in the shortage designation process, but has also collected Maine licensing board data, MaineCare data, vital statistics, and all payer claims data from the Maine Health Data Organization (MHDO) on behalf of the Department to modernize our Health Professional Shortage Area process. The RHPCP does not wish to return to the previous, manual process.

Further, there is no other vendor that currently contracts with states undertaking the unique project of updating Statewide Rational Service Area (SRSA) plans for primary care, dental and mental health. The Provider has taken steps to implement their evidence-based plan, procured data, made arrangements to host the health care data in a secure manner per MHDO requirements, and organized the data for use in the designation and SRSA process. Considering this contract will commence during a critical time for fulfillment of our planned activities as outlined to the Health Resources and Services Administration, the RHPCP has neither the time nor the financial resources available to repeat these steps for the ongoing project.

This Provider is the only organization that has the staff, experience and systems ready to provide these necessary services in a timely and cost-effective manner.

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

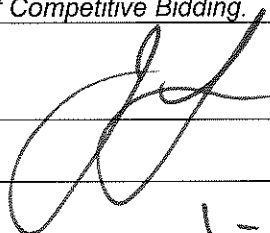
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e.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


Jim Lepatosky
1 - Aug - 19