

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:	Galan Williamson	Office/Division/Program of Contract Administrator:	Juvenile Community Corrections – Region 3
Est. Contract Amount:	\$ 6,130.00	Contract or RQS Number:	RQS 03A 20190812 *191
Proposed Start Date:	7/24/19	Proposed End Date:	7/25/19
Vendor/Provider Name, City, State:	Security Transportation Services, Rocky Comfort, MO		
Short Description of Good or Service:	Prisoner transportation services		
<p>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>		<p>To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: _____ To: _____</p>	
Notice of Intent to Waive Competitive Bidding Number:	NOI#		
<p>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>			
<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:
<p>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;</p>			

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	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;	
X	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.		
<p>A client committed to custody of Department of Corrections was released on aftercare to community setting. He absconded from placement, stole a vehicle, firearms, and fled State of Maine to Florida. A warrant for his arrest was issued and Police in St. Augustine, Florida apprehended him on our warrant. Following the Interstate Compact for Juveniles(ICJ) rules and Federal laws related to extradition of clients in custody, we are by law required to return clients within 5 day window or subject Department to significant penalties/fines for violating ICJ rules. In the absence of a trained team to extradite juveniles in-custody, we determined our sole recourse was to enter into an agreement with Secure Transport, fully insured, trained and equipped to move in-custody juvenile across multiple State borders.</p>		

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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.

Juvenile Community Corrections Officers and identified facility staff are currently able to provide in-custody transports for juveniles within the State of Maine. No trained team exists to conduct transports across multiple state borders by air or ground. The level of training needed to train identified staff on emergency contingency plans should unforeseen circumstances occur in a given State was prohibitive under the 5 day time line we are given under ICJ rules and the fact this occurrence happens so infrequently, the State would expend more to maintaining a well-trained team on an ongoing basis then the additional cost of paying out a private vendor for this one transport.

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 projected overtime costs alone to send 2 officers to Florida and back is comparable to the rate we paid Secure Transport. The ability of Secure Transport to provide momentary track and monitor capabilities in the transport vehicle is also a feature with our client in it was important to have understanding that this youth is a significant escape risk and dangerous. The advanced technology is lacking in DOC so interruptions in cell-phone service could potentially cut-off communications with drivers risking the client and transporters safety.

5. Future Competition

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

There are only a few companies that provide this specialty service and this company was the one that had the availability when the service was needed.

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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.

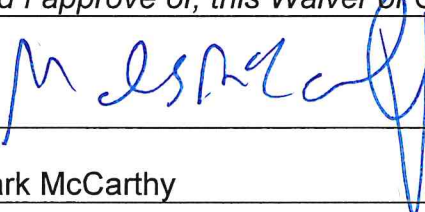
Secure Transportation’s proprietary software solution that facilitates an end-to-end solution that touches all points of operation. Here’s a Sampling of Itineris Technology:

- **Reservations**
- **Auto Scheduling**
- **Dispatching**
- **Invoicing**
- **Quality Control**
- **Issue Tracking**
- **Audit Logging**
- **Employee Management**
- **Vehicle Management**
- **Affiliate Management**
- **Estimates**
- **834 Insurance ¶ Enrollment Tracking**
- **837 Medical Claim Production**
- **Route Creation and Tracking**
- **Compliance Tracking**
- **HIPAA Compliance**
- **Historical Data Maintenance**
- **Itineris Mobile™**
Proprietary Mobile Driver Management ¶ System
- **Itineris Online™¶**
Information dissemination portals for ¶ Clients and Affiliate management
- **Geotab™ Telematics Fleet ¶ Management System Real Time ¶ GPS and ECM Systems Monitoring**
- **Advanced Call Center ¶ Telephony Systems**

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.

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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:	August 9, 2019