

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 Director	Office/Division/Program of Contract Administrator:	DOE Early Learning Team
Est. Contract Amount:	\$ 23,000	Contract or RQS Number:	20190718*0202
Proposed Start Date:	7/1/19	Proposed End Date:	12/31/19
Vendor/Provider Name, City, State:		Maine Development Foundation 2 Beech Street, Suite 203 Hallowell, Maine	
Short Description of Good or Service:		Delivery of up to 12 trainings addressing Adverse Childhood Experiences and Resiliency Building to child care and prek teachers	
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>08/15/2019</u> To: <u>08/22/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0820191391	
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.			
	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;		
	<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:	

**State of Maine
Waiver of Competitive Bidding Request Form**

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.		
Across the state, teaching professionals have indicated the need for professional development opportunities addressing social-emotional development and behavior needs of younger children. Early care and educational professionals have witnessed an increase in the number children who have experienced trauma in their lives. Maine's federally approved Preschool Development Grant, Birth-5 awarded in January of 2019 requires provision of training around Adverse Childhood Experiences (ACES) for early care and education professionals and public prek educators. These trainings will be held across the state and offered to all teaching professionals working with the Birth-5 population.		

**State of Maine
Waiver of Competitive Bidding Request Form**

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.

Having expertise in ACES and Resiliency Building is key to providing this professional development opportunity. The state of Maine does not have sufficient staff to provide this type of training in multiple locations across the state.

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**.

Based on the number of trainings (up to 12) planned across the state to reach 120-240 child care providers and the cost of travel, venue reservation, and expertise of 2 trainers, the budget of \$20,000 is fair and reasonable. This budget was determined during the application process for the Preschool Development Grant B-5 by contacting organizations that could provide such training and asking for estimates of training costs

5. Future Competition

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

**State of Maine
Waiver of Competitive Bidding Request Form**

The need for social-emotional development, ACES, and resiliency building will be an on-going need for teachers in the birth-5 span. As future training is considered, the Maine DOE will look for opportunities to expand competition among providers as they become available.

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.

Maine Development Foundation is the fiscal agent for Maine Resiliency Building Network (MRBN). MRBN grew out of recognition of the social emotional needs of children and the need for professionals to understand how Adverse Childhood Experiences (ACES) and resilience are connected to social-emotional development and behavior. MRBN grew out of the discussions and committees of the Maine Children’s Growth Council, Maine’s early childhood advisory council. MRBN provides training around understanding how ACES can affect children and adults, what protective factors are and how these factors can build resilience in people. The training that MRBN is able to provide is intimately connected to needs identified by the Maine Children’s Growth Council.

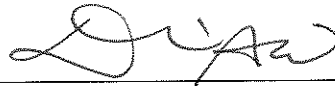
**State of Maine
Waiver of Competitive Bidding Request Form**

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. Clabeta

Date:

15 July 2019