

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:	Dennis E. Smith, Esq	Office/Division/Program of Contract Administrator:	Board of Licensure in Medicine
Est. Contract Amount:	\$ 35,000	Contract or RQS Number:	20190814000000000533
Proposed Start Date:	9/1/19	Proposed End Date:	6/30/20
Vendor/Provider Name, City, State:	Connecticut Peer Review Organization, Inc. Weathersfield CT 06109		
Short Description of Good or Service:	Training and Education on Chronic Pain Management & Safe Opioid Prescribing, Alzheimer's and Duty to Warn		
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>To be completed by the Division of Procurement Services</p> <p>Posting dates on Division of Procurement Services website: From: <u>8/23/2019</u> To: <u>8/29/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0820191412		
<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>			
<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;		
<input type="checkbox"/>	<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>	
<input type="checkbox"/>		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;		

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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;
	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.

Controlled substance abuse and overdoses have become very serious public health problems in the United States and Maine. The number of drug-induced deaths in 2017 was 418.

Recognizing the need for creative and bold solutions, the Maine Medical Association and Quality Counts (QC now doing business as Connecticut Peer Review Organization, Inc.) launched "Caring for ME" in 2016, a collaborative effort that brings together a wide set of partners to promote shared messages, educational resources, practical tools for health care providers, and developing a set of activities to provide Maine physicians with practical education, peer support, tools, and resources to effectively manage chronic pain and improve the safety of opioid prescribing. The specific program to be funded is:

Maintenance of Online Educational Modules: QC developed a set of 12 online educational modules with BOLIM funding to address chronic pain management, new prescribing limits, safe &

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compassionate tapering approaches, and appropriately diagnosing addiction that help physicians meet CME requirements of Chapter 488. QC needs ongoing support to be able to offer CME and update modules.

In addition, during the past legislative session, two additional issues were brought to the Board's attention, the need for strengthened education regarding Alzheimer's Disease and the need for education regarding the new "Duty to Warn" law. QC has agreed to create Online Educational Modules utilizing the systems and methods that have made the past 12 modules successful. This contract also provides for the creation of one additional online module based on the needs over the Board during the course of the contract. These would be organized as a series of 3 one-hour modules that could be completed by physicians on their own schedule.

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.

No other local, State, or federal government agencies would be able to address the identified need more effectively than the vendor, QC. While general resources are available on the internet, there is no other organization in the State that is able to provide this type of service that is specifically designed around Maine's issues and the impact of Maine's new laws.

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 Board requested that QC prepare a menu of potential outreach and education efforts for medical professionals concerning opioid prescribing in Maine, together with an estimated cost for those services. QC provided an estimate of those costs, which are reproduced below, which the Board concludes is fair and reasonable:

- 3 Online Educational Modules: Total costs: \$25,000
- Maintenance of Online Educational Modules: Total costs \$10,000

5. Future Competition

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

There is no other program of this nature available in the State, and the board is unable to describe any potential opportunities to foster competition for these goods or services in the future.

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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.

Maine Quality Counts (QC) holds a unique position in the state as a multi-stakeholder entity working to provide quality improvement support to both providers and committed to improving health and health care for all Maine citizens. Over the past decade, QC has served as the lead agency for several complex improvement initiatives, including Maine’s Aligning Forces for Quality (AF4Q) initiative; the Maine Patient Centered Medical Home (PCMH) Pilot; and the “Choosing Wisely in Maine” consumer engagement program. Additionally, QC has provided contracted support to the state of Maine to provide education and quality improvement coaching to nearly 200 practices in the MaineCare Health Homes initiative, as well as nearly two dozen practices working to improve diabetes and hypertension outcomes in the Maine CDC’s Chronic Disease Improvement Collaborative.

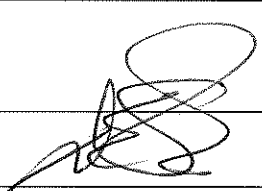
Most importantly, QC has developed unique experience and expertise in the area of chronic pain management and improving the safety of opioid prescribing. Since 2013, QC has led two rounds of the Maine Chronic Pain Collaborative, a program providing direct education, support, and quality improvement coaching to a wide range of primary care practices in the state to improve their management of chronic pain and the safety of opioid prescribing.

Additionally, in April of 2016, QC launched the “Caring for ME” initiative in partnership with the Maine Medical Association, a collaborative effort to engage Maine clinicians in a positive, proactive response to the opioid crisis and Maine’s new legislation limiting opioid prescribing. Under Caring for ME, QC has brought together a wide set of partners to promote shared messages, educational resources, and practical tools for clinicians to advance the goals of Caring for ME – i.e. promote the prevention of opioid addiction; maintain a compassionate and trauma-informed approach to chronic pain management; improve the safety of opioid prescribing; appropriately diagnose addiction when it exists; and improve access to effective treatments for patients with substance use disorder, including expanding Medication Assisted Therapy (MAT) services.

There is no other organization in the state that meets QC’s depth of experience providing quality improvement education and support to providers; its breadth of relationships with physician practices for improving quality of care; or its direct clinical experience and expertise working with clinicians and practice teams to improve chronic pain management and safe opioid prescribing.

By integrating the addition of Alzheimer’s and Duty to Warn education into this system the Board will be able to utilize a recognized system that has already provided over 3,500 hours of education to Maine health care providers.

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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):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
Printed Name: DENNIS E. SMITH	
Date: 8/22/19	