

**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:	Colin O'Neill	Office/Division/Program of Contract Administrator:	Maine Department of Corrections
Est. Contract Amount:	Up to \$8,000	Contract or RQS Number:	CT 03A 2019090400000000719
Proposed Start Date:	October 3 rd , 2019	Proposed End Date:	October 4 th , 2019
Vendor/Provider Name, City, State:	Crisis Consultant Group, LLC		
Short Description of Good or Service:	Crisis Intervention Training for Staff and Long Creek Youth Developmental Center.		
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 <i>Procurement Services</i> website: From: <u>09/05/2019</u> To: <u>09/11/2019</u></p>		
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0920191467		
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;		
<input type="checkbox"/>	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.	By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement. Signature:	
<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) <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>Maine Department of Corrections (MDOC) is in need of comprehensive crisis intervention, crisis prevention, and de-escalation techniques trainings for facility staff at Long Creek Youth Developmental Center (LCYDC), in order to provide all facility staff with the expertise to safely intervene, prevent, and de-escalate securely detained juveniles in a safe and effective manner. Facility staff at LCYDC need ongoing training in crisis intervention, crisis prevention, and de-escalation to improve overall facility safety and staff knowledge.</p> <p>Crisis Consulting Group LLC (CCG) is able to provide training for MDOC staff at LCYDC and meet all needs presented. CCG has worked with LCYDC since 2001, providing training and consultation; CCG's techniques and interventions are imbedded in post-orders at LCYDC. CCG is a complex and comprehensive training regimen, that no other agency can provide within the state of Maine.</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.

MDOC does not have the staffing, resources, or expertise to provide the level of crisis intervention, crisis prevention, and de-escalation techniques training to facility staff as CCG, can provide in their numerous comprehensive trainings. No other state, local or federal agencies are capable of providing this type of specialized training.

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 Cost has been negotiated with CCG up to \$8,000 for staff training at LCYDC, which is fair and reasonable. The training/consultation flat rate is \$5,000.00 and the estimated cost of travel expense for 2 master trainers to Maine is \$2,500.00 to \$3,000.00 based on fluctuation in per-diem rates.

5. Future Competition

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

The Contract is for a one0day, one-time training and recertification of facility staff. The training would be held on October 3rd, 2019.

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.

CCG has over 30 years of experience providing training of Crisis Intervention, Crisis De-Escalation, and Crisis Prevention across the United States and Internationally. CCG has numerous expert Master Instructors, that go through rigorous training to provide staff members with appropriate and comprehensive training for their facility and provides booster "train the trainer" programs to always provide the best-practices and improve techniques of all members trained in the above areas. CCG has worked with LCYDC since 200, providing training and consultation; CCG's techniques and interventions are imbedded in post-orders at LCYDC. CCG is a complex and comprehensive training regimen, that no other agency can provide within the state of Maine.

CCG aligns their training courses with the Joint Commission, Council on Accreditation Alignment (COA), Positive Behavioral Supports (PBIS), National Association of Mental Health Program

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Directions (NAMHPD), and the US Department of Education Seclusion and Restraint Recommendations to promote interventions that encourage the resolution of crisis situations using the least restrictive measures possible while maintaining professionalism, respect and dignity for the individual, and promotes recovery and resiliency practices.

No other agency within the state of Maine has the ability to provide this comprehensive training in Crisis Intervention, Crisis Prevention, and Crisis De-Escalation and improve staff member interactions by creating a more self-assured, confident, and prepared workforce secure in their ability to handle emergency situations.

CCG has the resources, experience, expert trainers, and qualifications to meet the needs of the Maine Department of Corrections Long Creek Youth Developmental Center, whereas no other agency in Maine can provide this level of training and expertise.

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:

Colin O'Neill

Date:

09/04/2019