

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:	Emily Poland	Office/Division/Program of Contract Administrator:	Department of Education/School and Student Supports
Est. Contract Amount:	\$200,000	Contract or RQS Number:	CT 20181120*1692
Proposed Start Date:	Contract Continuation, October 1, 2019	Proposed End Date:	9/30/2020
Vendor/Provider Name, City, State	Regional School Unit 10 799 Hancock Street Rumford, ME		
Short Description of Good or Service:	Sub-grantee, Pilot Site, Year 2 Maine AWARE Activities		
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>09/10/2019</u> To: <u>09/16/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0920191495	
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"/>	<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;		
<input type="checkbox"/>	<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.		

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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.

Maine AWARE is a 5 year, SAMSHA-funded initiative aimed at helping Maine develop a comprehensive framework and infrastructure to support student mental health through effective state and local collaboration between education and health providers. The project is grounded in a belief that strong implementation of evidence based universal positive behavior and social emotional learning supports coupled with universal behavioral health screening can help schools and communities focus intensive resources on students and families with the greatest need. The project also aims at developing coordinated support services at the school level so that school clinical capacity is maximized and well-articulated with the community's therapeutic resources. The long-term work of building a statewide comprehensive approach to student mental health will be grounded in the experiences gained through initial implementation with the three SAU pilot sites involved in the grant: Calais School Department, RSU 10, and RSU 40.

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 of Education is unable to provide this service as it is a grant requirement for the direct services be provided to the population through the school administrative unit. The Department was required to choose only three sites in which to pilot the work of Maine AWARE.

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**.

This amount was determined by the grant application, no less than 60% of the grant funds could be used for direct services which include all monies that will go to the three pilot school sites. In addition to the \$200,000 per 3 pilot sites (\$600,000) additional funds designated as direct services will be used for student engagement activities and positive behavior intervention and support assistance with other contracted agencies.

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 will continue to follow the SAMHSA Grant, Maine-AWARE requirements over the five years of the grant. This pilot site will continue in the Maine-AWARE project over the five years as well. As long as all requirements are met, this contract will be renewed annually for the duration of Maine AWARE grant years. In a future project, the Department will obtain services by the most appropriate means, including a competitive process such as releasing a RFP, if possible.

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.

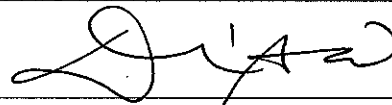
The grant requires that this work be implemented through three pilot sites which had to be chosen before the application was submitted. The school administration also had to show commitment through a Letter of Commitment that was submitted with the grant application. The pilot sites were chosen based on the following criteria: represent wide geographic area in the state, areas federally designated as mental health professional shortage areas, counties in which pilot sites are located have higher percentage of uninsured children than state average of 4.8%, According to the 2017 Maine Integrated Youth Health Survey, 28% of high school students in Calais, 31% in RSU 10, and 25% in RSU 40 reported feeling sad or hopeless for 2 or more weeks in a row (Maine average: 27%). Fifteen percent of high school students in Calais, 18% in RSU 10, and 18% in RSU 40 reported seriously considering suicide in the past year. In addition, substance use impacts youth and families in many communities; Calais high school students report significantly higher current cigarette use than the state average (15% vs. 9%), and RSU 10 and RSU 40 both report significantly higher current marijuana use (RSU 10: 26%; RSU 40: 26%; Maine: 19% [MIYHS 2017])

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:

David A. Cheluta

Date:

10 Sept 2019