

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.

DHHS/DCM Contract Administrator:	Matt Galletta/Ryan Roberts	Office/Division/Program of Contract Administrator:	DHHS/OFI/SNAP-Ed Patricia Dushuttle
Est. Contract Amount:	\$1,186,984.00	Contract or RQS Number:	CT-10A-20190716*0182
		Purchasing Maine ID:	
		DHHS Agreement Number:	OFI-20-351
Proposed Start Date:	10/1/19	Proposed End Date:	9/30/2021
Vendor/Provider Name, City, State	University of New England 11 Hills Beach Road Biddeford, Maine 04005		
Short Description of Good or Service:	Implementing Agency for Maine SNAP-Ed		
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.		<i>To be completed by the Division of Procurement Services</i> Posting dates on Division of <i>Procurement Services</i> website: From: <u>9/11/2019</u> To: <u>9/17/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0920191499	
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:
	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;		

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	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.	
x	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	Competitive Award Adjustment

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.

University of New England (UNE) was awarded SNAP-Ed Implementation Agency operations by competitive bid from 2018 to 2023 and conducts statewide nutrition education services under this award. UNE implements SNAP-Ed by providing direction, coordination, training, and oversight to assure federal and state guidelines are met for sub-recipient agencies that work under direction to deliver evidence-based curricula and policy systems and environmental change strategies for youth and adults. UNE is uniquely qualified to deliver these federally funded services through its six years of providing these services. The services are funded by United States Department of Agriculture-Food and Nutrition Services, which each year allocates funding to every state for delivery of services. Maine has been awarded USDA federal funds above the amount anticipated during the RFP process that may be utilized to expand service delivery to areas of the state where food insecurity rates, obesity, and chronic diseases are significantly high. Accordingly, the Department has requested that the Provider expand services to address these needs by using the additional federal funds.

The UNE award has increased in order to expand service delivery using the existing administrative structure in place, and to fully utilize available allocated funds to address obesity prevention. The following expenditures and activities have been added to the agreement to meet Department requested expansion of service delivery to high areas of need:

- Four new sub awards have been added to the contract (Healthy Aroostook, MDC/Lincoln, Penobscot Bay YMCA, and Coastal Healthy) to provide nutrition education in high food insecure areas with insufficient access.
- Staffing was increased at UNE by .5 FTE to make a Obesity Prevention Coordinator full-time.
- Adjustments in staffing (2 local agencies) and cost of living increases (2-3%) were allowed across 17 local agencies, in an effort to reduce turnover.
- Supplies and increased travel were added for the required additional oversight of 17 sub-recipient agencies.
- New Curricula with associated printing costs were made to add culturally appropriate materials for tribal participants.
- ChopChop magazines were purchased to distribute to youth in school programming.

These increases totaling \$600,000 per year are made over both of the two-year periods of the agreement.

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 State of Maine does not deliver SNAP-Ed services and relies upon its current vendor to implement Maine SNAP-Ed.

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 Department has reviewed all of these budget items and finds them reasonable and necessary to implement the increased services.

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5. Future Competition

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

The additional services will be incorporated into the next competitive procurement for a new contract start date of 10/1/23.

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 UNE is uniquely qualified and prepared to deliver these services and has existing sub-awards in place for immediate implementation.

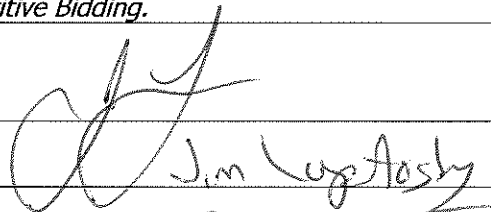
7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

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:


Jim Lopez

Date:

12 - Aug - 19