

PM-19112
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:	Joel Gilbert	Office/Division/Program of Contract Administrator:	Corrections – Central Office Administration
Est. Contract Amount:	\$ 35,853	Contract or RQS Number:	03A 20190722-0218
Proposed Start Date:	August 1, 2019	Proposed End Date:	January 31, 2020
Vendor/Provider Name, City, State:	USM Muskie School of Public Service Portland, Maine		
Short Description of Good or Service:	Evaluation of MAT Pilot		
<p>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>		<p>To be completed by the Division of Procurement Services Posting dates on Division of Procurement Services website: From: <u>09/12/2019</u> To: <u>09/18/2019</u></p>	
Notice of Intent to Waive Competitive Bidding Number:	NOI# 0920191513		
<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.

The opioid epidemic that has taken hold in our nation is also prevalent in Maine. The Maine Department of Corrections has responded to this dire situation with a dual approach. In July 2019, we launched a pilot Medication Assisted Treatment (MAT) response for identified opioid addicted offenders in adult correctional facilities. In addition, we have also partnered with a community provider to aid in continuity of care as offenders transfer from incarceration to release. This community partner is assisting those releasing to broker a successful transition, including connection to resources, and providing ongoing MAT, and weekly check-ins.

The purpose of this agreement with the Muskie School is to evaluate the initial rollout of the program, and to do a qualitative analysis including all stakeholder's viewpoints. This report will be used to further understand strengths and challenges with MAT rollout, and continuation of this important response to the opioid epidemic.

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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.

Maine State government does not have sufficient expertise to conduct this type of specialized evaluation, nor is the Department aware of any other governmental entity capable of doing so, especially within the designated timeframe.

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 had several discussions with the Provider to specify needs and iron out cost. The agreed upon price (\$35,853) is less than half of what was quoted in a previous draft resulting from the removal of a "quantitative analyst" from the project which was deemed unnecessary. A full budget is provided and the Department considers all costs to be fair and reasonable.

5. Future Competition

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

This is a unique situation resulting from the pilot MAT implementation, as is the procurement of this vendor to provide the timely evaluation. Should the Department require a more generalized evaluation in the future we will consider seeking competitive bids via RFP.

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.

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The Muskie School has extensive research experience in evaluation of MAT delivery systems and is able to immediately partner with Maine Department of Corrections. Given their unique skill set and existing knowledge base, there is no other identified entity that could conduct this kind of a research study in this limited timeframe.

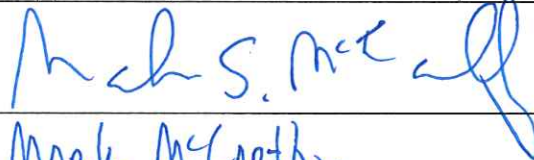
This study will enhance the Institute's ability to provide insights into what works, where challenges exist in the delivery of MAT, as well as other interventions to curb the opioid crisis facing Maine. Partnering with Maine DOC in this project will also help fulfill their public service mission in improving continuity of care for those with opioid addiction.

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:

Mark McLaughlin

Date:

7/22/19