

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:	\$ 25000	Contract or RQS Number:	CT20181130*1775
Proposed Start Date:	Contract continuation. October 1, 2019	Proposed End Date:	9/30/2020
Vendor/Provider Name, City, State	Courtney Angelosante China, ME		
Short Description of Good or Service:	Positive Behavior Intervention Supports (PBIS) coaching, assessment, and implementation support for SAMHSA grant, Maine-AWARE		
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 Procurement Services website: From: <u>09/18/2019</u> To: <u>09/24/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0920191546	
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;		
	<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;		
	<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>		

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	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.

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.

Implementation of the evidence-based, Positive Behavior Interventions and Support (PBIS) framework is a foundational component of the Maine AWARE proposal that was accepted for SAMSHA funding. This Vendor, Courtney Angelosante, provides PBIS coaching and implementation support to two of Maine AWARE pilot sites, RSU 10 and RSU 40, under a separate agreement with the DOE's Office of Special Services. The third pilot site, Calais School Department, will begin PBIS implementation in conjunction with the AWARE project, and it is critical to have consistent implementation protocols and support across all three sites.

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.

Staffing and expertise related to these services currently do not exist within state government or other public resources. The Department relies on providers affiliated university schools of education and Maine's PBIS technical support center to assist in the work of local PBIS implementation. This vendor has served as the implementation coach for two of the three pilot school districts participating in Maine AWARE and would therefore be the only provider that could effectively introduce the third pilot district into a consistent, coordinated program.

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**.

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The Department determined that the cost of these services is fair and reasonable considering the scope of work that is required by reviewing past and current contracts and cooperative agreements for these services executed by other offices within the Department. The total amount for these services was submitted as part of the accepted grant proposal under direct service contracts.

5. Future Competition

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

The Department will continue to follow the SAMHSA Grant, Maine-AWARE requirements over the five years of the grant, and continuity over the entire grant period is highly desirable. As long as all requirements of this contract are met, this contract will be renewed annually for the duration of the grant, with adjustments in the scope of work and costs as are appropriate to advanced stages of implementation. 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.

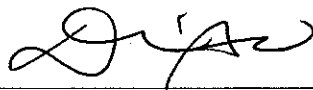
This grant required that contractors and partners involved in its implementation be chosen before the application could be submitted. This vendor was selected for inclusion in the proposal based on her general experience as a PBIS coach for Maine schools and for the fact that, through a separate DOE project, she serves as the implementation coach for two of the three participating pilot sites. This vendor is therefore uniquely able to build a consistent, coordinated implementation framework at all three sites by utilizing an identical approach at the third site (which is not served under existing DOE PBIS programs).

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:

Daniel A. Chubb

Date:

10 Sept 2019

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PROJECT NUMBER	
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