

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Shawn Belanger Valerie Fredericks	Office/Division/Program of Contract Administrator:	DHHS/OADS Lesley Myska
Est. Contract Amount:	Amendment Amount: \$119,336 New Total Amount: \$220,657.25	Contract or RQS Number:	CT 10A 20180612*3919
		Purchasing Maine ID:	
		DHHS Agreement Number:	ADS-18-9009A
Proposed Start Date:	10/1/17	Proposed End Date:	9/30/21
Vendor/Provider Name, City, State	WellSky Synergy Human & Social Services Corporation Lenexa, KS		
Short Description of Good or Service:	Licensing agreement to use WellSky Aging & Disability data collection solution		
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>9/20/2019</u> To: <u>9/26/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0920191566	
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:	
<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;		
<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;		

State of Maine Waiver of Competitive Bidding Request Form

	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.

In Maine, five Area Agencies on Aging (AAAs) provide Title III community-based programs and supports for older individuals, their families, and caregivers within the Provider's Planning and Service Area (PSA). The services provided are based upon the programmatic requirements mandated by the Administration for Community Living (ACL).

Title III of the Older Americans Act requires detailed data reporting to the **National Aging Program Information System (NAPIS)** on an annual basis. This reporting is used to measure Provider performance and to determine funding for the following program year for Title III services; including Meals on Wheels, Alzheimer's Caregiver Respite, and preventive health.

The AAAs each maintain licenses for the use of the Wellsky Aging and Disability database. They enter service delivery data into the system at the local level. The Wellsky Aging & Disability database has uniform service definitions, so the data entered by the AAAs is in a consistent format throughout the State. The Department uses Wellsky Aging & Disability database to access the AAA data and manage the AAA contracted Title III programs under applicable Federal guidelines.

This Amendment is submitted to add two additional years of service as well as funding for those two years.

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.

Sufficient staffing, resources, or expertise is not available within the State of Maine's government.

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**.

Establishing/maintaining this licensing agreement to use Wellsky Aging & Disability database allows the Department to take advantage of the AAA's investment in this system statewide, without the Department incurring directly the costs currently supported by them, or the costs associated with a different solution which would not be immediately integrated and would require unknown development at an unknown cost. The Department believes extending the current agreement is reasonable, fair, and the most cost-effective solution at this time to meet our federal reporting requirements.

5. Future Competition

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

State of Maine Waiver of Competitive Bidding Request Form

The Department does not intend to issue an RFP for these services.

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 Provider is one of only a few contracted companies that handle database management for Older Americans Act Title III funding across the country. They have built a system specifically designed to handle the data and reporting needs of the National Aging Network. Over 40 states, territories and the federal government have contracted with the Provider.

The Provider currently houses all Title III data for the services provided in Maine, and have done so for many years. Most importantly, all five area agencies on aging have existing WellSky Aging & Disability databases to independently manage their AAA programs, having already invested over \$500,000 in this solution. The Department's use of WellSky Aging & Disability database allows for seamless real-time visibility to AAA data, providing the Department access to a consolidated state-wide database, allowing the Department to integrate into the existing AAA systems, and manage all of its aging services programs. Data retrieved from the five Area Agencies on Aging (AAAs) also gives the Department the ability to easily compare data meaningfully, verify AAA compliance, and submit federal grant compliance documentation. The Department does not have the authority to require the AAAs to competitively bid for new technology.

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

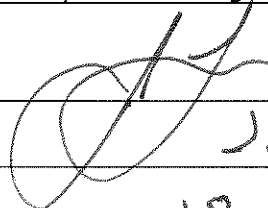
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e. 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.

N/A

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 Lopstsky

Date:

18 - Sep - 19