

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:	Mark Toulouse, OAG Mark Belserene, OCME	Office/Division/Program of Contract Administrator:	Office of Attorney General/Chief Medical Examiner
Est. Contract Amount:	\$412,478 Yr1 Total \$1,237,434	Contract or RQS Number:	CT 20190820*0565
Proposed Start Date:	9/1/2019	Proposed End Date:	8/31/2022
Vendor/Provider Name, City, State	University of Maine System acting through the University of Maine 5717 Corbett Hall, Room 408, Orono, Maine 04469-5717		
Short Description of Good or Service:	Data Collection/Research Project – Federal Grant		
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>9/21/19</u> To: <u>9/27/19</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0920191571	
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>		
<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.

The purpose of the project is to enhance state and federal surveillance of unintentional fatal and nonfatal opioid overdoses, in close partnership with Maine CDC and the Office of Attorney General (OAG) and the Office of Chief Medical Examiner (OCME). The project has been funded by the U.S. Centers for Disease Control, National Center for Injury Prevention and Control, in the form of a cooperative agreement with the Maine Department of Health and Human Services.

Marcella H. Sorg, Research Professor, Margaret Chase Smith Policy Center, is the PI of this contract at the University; she is named in the State's proposal as the co-PI of the State's project. Jamie A. Wren, Research Associate, Margaret Chase Smith Policy Center is named as co-PI of the contract at the University; he is named as the PD of the State project. Sorg and Wren lead the implementation of enhanced surveillance-related data collection, analysis, and results dissemination related to fatal and nonfatal opioid overdoses, in collaboration with PI Sara Robinson at the Maine CDC.

The project will carry out activities related to mortality and Statewide Unintentional Drug Overdoses Reporting System (SUDORS), including the rapid identification of potential overdose deaths. Additionally, the University of Maine contractor will be in charge of coordinating prescriber notification for opioid-involved overdose deaths. The project will take place primarily at the Maine Center for Disease Control and the Maine Office of Chief Medical Examiner.

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 currently has no position or office to conduct this type of data collection or research. This is very specific information and has been funded by a federal grant because of the uniqueness and lack of available resources. No private agencies or other organizations are in any capacity to manage this type of project. The lack of state, federal, local, private, nonprofit resources in this area of data collection is one of the factors creating the award for this grant project.

The previously-named project director has completed several epidemiological studies with the Maine Office of Chief Medical Examiner and has had several years of experience with the NVDRS and ESOOS (precursor to OD2A) projects.

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**.

Cost is the same as a similar grant with University of Maine.

Unobligated funds in the budget for each project year will not be available beyond the end of the project, 8/31/22.

The Project Period is specified on the federal Notice of Award from September 1, 2019 through August 31, 2022. Budget periods end on August 31 each year, with continuation to following year dependent on CDC approval each year. The notice of award from the federal sponsor has already been received by the State.

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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This federal grant program was a competitive process and open to any and all eligible candidates to apply. This grant was awarded on an impartial and fair basis. All purchasing of goods and services are on accordance with Maine purchasing guidelines and Federal Government grant requirements.

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 research program requires specific individuals with specific backgrounds. The key participant listed below meets these requirements and has been approved by the federal grant administrators for this awarded work.

Co-PI Marcella Sorg is a medical and forensic anthropologist specializing in health policy, particularly as it concerns public health, public safety, and the investigation of death and injury. She directs the Center's Rural Drug and Alcohol Research Program, which has been monitoring epidemiological indicators of substance abuse, particularly drug related deaths, since 2002.

Additionally, the system uses the already-existing infrastructure of the National Violent Death Reporting System at the U.S. CDC, of which Maine is a funded, participating state.

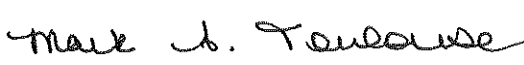
7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

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.

This is a 3-year federal grant with the following schedule approved by the federal government:
 Period of performance: September 1, 2019 – August 31, 2022

The project will run three years. The current period is September 1, 2019- August 31, 2020.

This sole source contract has been previously approved. It is a 3-year federal grant in which the University of Maine is named as sub-contractor.

Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
Printed Name:	 Mark A. Toulouse, Administrative Services Division Chief
Date:	9/19/2019