

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:	Samantha Fenderson	Office/Division/Program of Contract Administrator:	MDOL – Division of Vocational Rehabilitation
Est. Contract Amount:	\$75,000.00	Contract or RQS Number:	Ct 12A #20190822*0615
Proposed Start Date:	Aug 26, 2019	Proposed End Date:	Aug 25, 2020
Vendor/Provider Name, City, State:		Goodwill Industries NNE (VC1000033546) 34 Hutcherson Dr., Unit 1 Gorham, ME 04038	
Short Description of Good or Service:		Delivery of <i>Pre-Employment Transition Services</i> for up to 50 individuals with disabilities, to include: Self-advocacy, Counseling on Post-Secondary Education Opportunities; Job Exploration Counseling; Access and encouragement to participate in Work-Based Learning Experiences.	
<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</p> <p>Posting dates on Division of Procurement Services website: From: <u>9/27/2019</u> To: <u>10/3/2019</u></p>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0920191606	
<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>			
<p>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;</p>			
<p>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;</p>			
<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>	
		<p>Printed Name:</p>	
		<p>Date:</p>	

State of Maine Waiver of Competitive Bidding Request Form

X	<p>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;</p>
	<p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;</p>
	<p>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:</p> <p>(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;</p> <p>(2) A sharing of project responsibilities and, when appropriate, costs;</p> <p><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></p>
	<p>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;</p>
	<p>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.</p>
	<p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p>
<p>Please note that the following four points below (#2 through 5) <u>all</u> require a response.</p>	
<p>2. Description of Specific Need</p> <p>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.</p>	
<p>With the passage of the Workforce Innovation and Opportunity Act (WIOA), the Maine Division of Vocational Rehabilitation (DVR) was charged to provide five new services statewide upon request to students with disabilities. These services, called Pre-Employment Transition Services (Pre-ETS), are intended to promote the preparation of students with disabilities to enter competitive, integrated employment in the Maine workforce. DVR is required to report on a quarterly basis to the Rehabilitation Services Administration (RSA) on the numbers of students receiving these services as well as the specific services being delivered. DVR is working with partners across the state to pilot models of Pre-ETS to determine which is the most effective. Goodwill Industries NNE has a track record of providing effective services to youth and has a long-established presence in the Waldo County area.</p>	

**State of Maine
Waiver of Competitive Bidding Request Form**

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.

DVR is charged with providing Pre-ETS services statewide but currently has neither the staffing levels nor pre-existing vendor relationships to meet the requirement to provide the needed level of services in the Waldo County area. Specifically, DVR has found the Waldo County area as to be "hard to serve". There are no other state agencies who can provide this service on behalf of DVR. Through this pilot initiative, DVR will serve up to 50 students with disabilities in the Waldo County area.

Goodwill Industries NNE has created a pilot curriculum that delivers all five of the Pre-ETS services.

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**.

DVR is proposing a per student fee of \$1500. This fee will cover delivery of the five Pre-Employment Transition Services identified above. Through comparison with similar initiatives being provided elsewhere in the state – and in other states – DVR is confident that this is a fair and reasonable price. Goodwill NNE will leverage other resources to allow for the cost and services to be provided in the most economical way possible.

5. Future Competition

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

Through this pilot initiative, DVR will serve 50 students with disabilities in the Waldo County area in the coming year. At the completion of the pilot, DVR will assess the feasibility of statewide replication. When that occurs, DVR will also explore issuing a RFP as appropriate.

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.

Goodwill Industries NNE has an established presence in the Waldo County area and is able to leverage both fiscal and staff resources to provide an economical service for youth. Goodwill NNE has developed the "Workplace Readiness Bootcamp" proprietary curriculum which they will be using here along with other work based learning opportunities.

**State of Maine
Waiver of Competitive Bidding Request Form**

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):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
	
Printed Name:	Laura A. Fortman, Commissioner
Date:	 9/19/2019