

State of Maine Waiver of Competitive Bidding Request Form

DHHS/DCM Contract Administrator:	Chris Moiles/Mary Alderman	Office/Division/Program of Contract Administrator:	DHHS/OCFS Lisa Salger
Est. Contract Amount:	\$ 257,772.00	Contract or RQS Number:	2019080100000000384
		Purchasing Maine ID:	
		DHHS Agreement Number:	CFS-20-7011
Proposed Start Date:	10/1/2019	Proposed End Date:	9/30/2020
Vendor/Provider Name, City, State	Maine Community Action Association (MCAA)		
Short Description of Good or Service:	Community Action Agency Training and Technical Assistance		
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>10/4/2019</u> To: <u>10/10/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 1020191656	
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;		
<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.		
<input type="checkbox"/>	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:		

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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 Department of Health and Human Services' Office of Child and Family Services has a legal requirement under the Federal Community Services Block Grant (CSBG) Act, the Maine Community Services Act, and Community Services Block Grant (CSBG) Program Rules to provide Training and Technical Assistance (T/TA) to the ten (10) Community Action Agencies (CAAs) in the State. This required Training and Technical Assistance (T/TA) initiative will support the efficient and effective administration of the program, as well as support timely and accurate outcome data required under the same legal requirements to be reported annually to the Federal Government.

Training must be provided by the end of SFY 2020, on the topics of OMB/Uniform Guidance, Board Governance, Results Oriented Management and Accountability (ROMA) a/o ROMA Next Gen, the Organizational Standards, National Performance Indicators (NPI) and targets, and performance measures. Increased Training and Technical Assistance (T/TA) in each Community Action Agency (CAA) will also improve the State's current federally recorded American Consumer Satisfaction Index (ACSI) survey from the Agencies and proactively prevent non-compliance issues with the Community Action Agencies' (CAAs) core funding source, the Community Services Block Grant (CSBG). Training and Technical Assistance (T/TA) funds will also support the implementation of a single statewide reporting system to be used by all Community Services Block Grant (CSBG) providers to capture service data and provide outcome measure reporting as mandated by the US HHS Office of Community Services (OCS).

To be successful in these Training and Technical Assistance (T/TA) initiatives, the Department requires an entity to oversee and coordinate the activities of the ten (10) Community Action Agency providers. This contract supports that need and will allow for increased consistency among the providers and ease of management of all aspects of the contract.

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.

There are no state resources available to provide this service.

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 Office of Child and Family Services worked with the Maine Community Action Association, the Executive Leadership of the ten (10) Community Action Agencies (CAAs) and Department leadership in order to develop specific details of the service that would meet the federal requirements and from that work created a projected reasonable cost. Costs were compared to other agreements providing similar services for OCFS and deemed the projected costs for providing this service as 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.

The Department does not intend to RFP this service.

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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.

Maine Community Action Association (MCAA) is recognized as the only entity of its kind and is the only identified Maine Association responsible for participating in ACF's Training and Technical Assistance (T/TA) Program: Regional Performance and Innovation Consortium (RPIC). This cooperative agreement supports an ongoing state and regional strategy for collaboration, capacity-building, and exemplary practice in the Community Services Block Grant (CSBG) program and among State Community Action Agency (CAA) Associations, which include MCAA. OCS funds eleven (11) Regional Performance and Innovation Consortia (RPICs) to serve as geographic focal points, lead in implementing organizational standards, and develop a comprehensive system of Training and Technical Assistance (T/TA) activities among State Associations, including MCAA. The central mission of the Regional Performance and Innovation Consortium (RPIC) strategy is ensuring that all Community Services Block Grant (CSBG)-eligible entities are able to meet organizational standards and performance management efforts, and utilize evidence-informed approaches to address the identified needs of low-income people in communities.

As the only centralized organizational association for Maine's ten (10) Community Action Agencies (CAAs) and through its relationship and ongoing Training and Technical Assistance (T/TA) work with the Community Action Agencies (CAAs), MCAA is the only provider that has access to proprietary data from the agencies, allowing MCAA to provide specific Training and Technical Assistance (T/TA) as needed, as well as to provide the ongoing Training and Technical Assistance (T/TA)/Support as required by OCS. The ten (10) Community Action Agency (CAA) providers have been consulted about this and are in agreement.

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

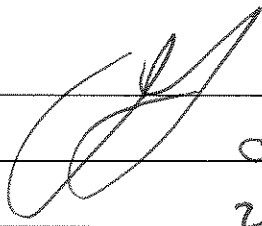
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e.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

Date:



dan legutko
25-Sep-19