

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.

DHHS/DCM Contract Administrator:	Chris Moiles / Arlene Jones	Office/Division/Program of Contract Administrator:	DHHS/OCFS/Child Welfare/Rebecca Harvey
Est. Contract Amount:	\$225,000.00	Contract or RQS Number:	20190828000000000670
		Purchasing Maine ID:	
		DHHS Agreement Number:	CFS-20-8022
Proposed Start Date:	10/01/2019	Proposed End Date:	9/30/2020
Vendor/Provider Name, City, State	Maine General Medical Center Pediatric Rapid Evaluation Team Augusta, ME		
Short Description of Good or Service:	Pediatric Rapid Evaluation Program (PREP)		
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>10/5/2019</u> To: <u>10/11/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 1020191659	
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;		

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.

The Pediatric Rapid Evaluation Program (PREP) meets the need for children who have been physically abused, neglected, sexually abused or exploited to have a skilled professional assessment that includes: medical and psychosocial evaluations of those children who have been taken into the care of the Maine Department of Health and Human Services. This program provides the necessary rapid assessment and timely comprehensive information to DHHS staff to assist in planning appropriate management, treatment and placement, as necessary to meet the immediate need of the child for safety.

Data analysis shows that children receiving the comprehensive health evaluation offered through the PREP program receive fewer unnecessary medical procedures, have continuity of care for ongoing medical issues, and the cost of MaineCare is considerably less, on average, than a similar population not receiving this service.

Due to the passage of LD 1378, "An Act To Ensure the Provision of Medical Assessments for Youth in Foster Care," this agreement is needed to continue Pediatric Rapid Evaluation Program services until new MaineCare rules, compelled by this legislation, are in place.

The routine technical rulemaking process is estimated to take 4-6 months, not including time that the AAGs office may take to conduct pre-review and not considering what their workload looks like to focus attention on the rules.

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.

The Department does not have pediatricians on staff with child abuse and neglect expertise with available time to conduct comprehensive medical and mental health evaluations of children entering foster care.

No other government resource has the capacity to provide this service, as most pediatricians are private practice or hospital based.

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**.

Costs are associated with the components of the services, they meet the MaineCare guidelines, are based on the market cost of the hospital services under which the program is organized, and are based on the average number of children entering care in the districts covered by this contract.

This contract provides for administrative support and non-compensated portions of the medical and psychosocial evaluations.

State of Maine Waiver of Competitive Bidding Request Form

5. Future Competition

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

These services will not be necessary once rules are adopted pursuant to LD 1378. The Department anticipates these services will be billed through MaineCare at the end of this contract.

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 has the capacity to provide comprehensive medical and psychosocial evaluations of children who have been taken into the custody of the Maine Department of Health and Human Services as a result of abuse and/or neglect. The program has current capacity, unique from other providers, to effectively gather full historical medical and mental health records, conduct rapid evaluations and provide timely reporting to DHHS staff to assist in planning appropriate management, treatment and placement, as necessary for children entering custody. This provider has the expertise to be consistent with the Child Welfare League of America (CWLA) Standards for Health Care Services for Children in Out-of-Home Care which sets it apart from other entities that do not have a focus or knowledge of child welfare specific practice.

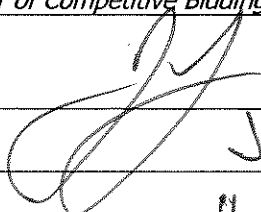
No other entity has the current capacity to complete a comprehensive record collection and screening consisting of a medical evaluation and a psychosocial evaluation provided by the PREP medical provider and the PREP psychologist and/or social worker, depending on the needs of the individual case. Components of the evaluations include: an interview of the foster care provider by the medical provider; review of medical, Child Protective, and mental health and school records; physical examination of the child, interview of the foster parents by the psychologist/social worker, administration of parent/child/teacher report measures, interview(s) of birth parent(s), if available, with administration of parent report measures. The medical evaluation includes a physical examination and review of records to obtain information about past medical history, currently medical problems, allergies, and immunizations.

No other entity in Central Maine has the capacity to coordinate the above activities.

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.

State of Maine Waiver of Competitive Bidding Request Form

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:	Jim Costello
Date:	11 - Sep - 19