

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:	Jim Lopatosky/Matt Galletta	Office/Division/Program of Contract Administrator:	DHHS-OFI
Est. Contract Amount:	\$1,705,000.00 original + 480,000.00 amend \$2,185,000.00	Contract or RQS Number:	CT 10A 20190513000000003370
		DHHS Agreement Number:	OFI-19-204
Proposed Start Date:	May 28, 2019	Proposed End Date:	Feb 1, 2020
Vendor/Provider Name, City, State:	McKinsey & Company, Inc. Washington, DC		
Short Description of Good or Service:	Business Consultation		
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>11/1/2019</u> To: <u>11/7/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:	NOI# 1120191818		
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.			
	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;		
	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>		
	Signature:		
	Printed Name:	Date:	

State of Maine Waiver of Competitive Bidding Request Form

X	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;	
	D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;	
	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: <ol style="list-style-type: none"> (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; <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:</i> http://www.maine.gov/purchases/info/forms/govcoop.doc.</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;	
	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) <u>all</u> 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.		
<p>The Department of Health and Human Services is using this amendment for evaluating the options and impacts of evolving to a state-based health insurance exchange (SBE). Given overlapping technical, operational and policy spheres between SBE planning, OFI online service replacement and ACES interface changes, the Department seeks to identify critical decisions for all endeavors that allow for future leverage and reuse but don't preclude consideration of other options as well, while maximizing federal match funding opportunities. The Department is seeking the support of an independent professional consulting firm to rapidly evaluate SBE models in other states and provide critical consultation on strategic decisions to move forward.</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.

The right internal State resources do not exist to accomplish this work within the timeframe required.

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 proposed weekly team rate is in line with rates from other larger consulting firm engagements (KPMG, Deloitte).

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 these services at this time.

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.

State of Maine Waiver of Competitive Bidding Request Form

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 proposed consultant service can begin immediately providing unique expertise through key subject matter experts who have worked with success at the Centers for Medicare and Medicaid Services and with other States on like projects and committing to the short 3-month timeframe to inform and recommend strategic decisions that can instantly impact the evaluation and evolution to a State Based Exchange model.

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.

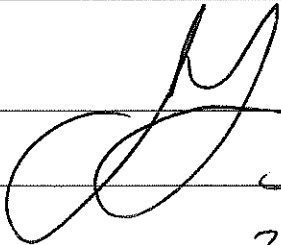
Since deciding to expand Medicaid, evaluation of the options and impact of evolving to a state-based health insurance exchange (SBE) is a critical next step in positioning Maine to best serve Maine citizens and their health coverage needs. DHHS needs the proposed consultant services to begin immediately with a firm with the right expertise, with the ability to bring an experienced team immediately to the table, and with a commitment to a short 3-month timeframe to inform and recommend SBE solutions that can immediately impact development of a roadmap with identification of solution funding and technologies to leverage.

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:


 Sam Lopez
 24 - Oct - 19