

# State of Maine Waiver of Competitive Bidding Request Form

<b>DHHS/DCM Contract Administrator:</b>	Chris Moiles / Ryan Roberts	<b>Office/Division/Program of Contract Administrator:</b>	Maine CDC / Maternal and Child Health/ Home Visiting
<b>Est. Contract Amount:</b>	Original \$9,297,937.00	<b>Contract or RQS Number:</b>	10A 20180731*0328
	Amendment \$4,072,983.00	<b>Purchasing Maine ID:</b>	
	New total \$13,370,920.00	<b>DHHS Agreement Number:</b>	CFS-19-1601A
<b>Proposed Start Date:</b>	10/1/2018	<b>Proposed End Date:</b>	3/31/2020
<b>Vendor/Provider Name, City, State</b>	Maine Children's Trust Augusta, ME		
<b>Short Description of Good or Service:</b>	Evidence-based Maine Families Home Visiting Services Contract and Programmatic Management.		
<b>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.</b>		<b>To be completed by the Division of Procurement Services</b> Posting dates on Division of Procurement Services' website: From: <u>11/4/2019</u> To: <u>11/10/2019</u>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>		NOI# 1120191824	
<b>1. Statutory Justification</b>			
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> <b>Signature:</b>	
		<b>Printed Name:</b>	<b>Date:</b>
<input 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: <a href="http://www.maine.gov/purchases/info/forms/govcoop.doc">http://www.maine.gov/purchases/info/forms/govcoop.doc</a>.</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 checked="" type="checkbox"/>	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:	RFP Extension	
<b>Please note that the following four points below (#2 through 5) all require a response.</b>			

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## 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.

This amendment is to extend the services provided under this agreement an additional six (6) months to allow for these services to be sent out for Request for Proposal. The Maine Children's Trust (MCT) is Maine's lead agency for the implementation of Chapter 1057 of Title 22 of the Maine Revised Statutes. As the lead agency, MCT ensures the provision of family strengthening programs, including (but not limited to), public awareness, child safety education, parent education, support and information for parents, and training for professionals. MCT completes this work through their subcontracts). As part of this work MCT through its subcontracts conducts annual needs assessments for each of Maine's sixteen counties. These needs assessments serve multiple functions, including meeting the federal requirement of the implementation of a home visiting program that serves as a response to issues identified in by the needs assessment.

The Department has prioritized family self-sufficiency, ensuring the safety and healthy development of infants exposed to and/or affected by substances, and ensuring the healthy development of all children. The home visiting service serves to provide parents with the skills, tools, and supports necessary to safely parent their children.

## 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 State and Department do not have the resources to provide these 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**.

The Department concludes the cost is fair and reasonable based on the costs reflected in a scope of work that is performance-based, measurable, outcome driven, which leverages the federal dollars. The costs have been adjusted for this amendment to reflect actual spend amounts over the past three years for these services with this vendor.

## 5. Future Competition

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

The Department intends to have an RFP published no later than 12/31/2019.

**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.

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The Maine Children’s Trust (MCT) serves as the statutorily identified lead agency which ensures the provision of family strengthening programs, including, but not limited to, public awareness, child safety education, parent education, support and information for parents, and training for professionals, through its subcontracts with the statutorily identified Child Abuse and Neglect (CAN) Prevention Councils and Maine Families Home Visiting sites within Maine’s 16 counties. MCT also serves as the lead agency designated by the Governor to administer the federal Community Based Child Abuse Prevention (CBAP). (Refer to: <http://legislature.maine.gov/statutes/22/title22ch1058sec0.html> and <http://legislature.maine.gov/statutes/22/title22ch1057sec0.html>).

Selection and implementation of a home visiting program model is one requirement of the federal HRSA’s Maternal, Infant, Early Childhood Home Visiting (MIECHV) funds that the Department receives. The Department chose the approved evidence-based home visiting model, Parents as Teachers (PAT), to be implemented for eligible families statewide. The MCT’s in house Maine Families program oversees and manages the MCT’s Local Implementing Agencies (LIAs) contracts that serve as Parents as Teachers affiliates. PAT affiliate status requires participation in extensive training and credentialing, adherence to the PAT Essential Requirements, attendance at Foundational and Model Implementation Training and a comprehensive endorsement process. MCT and its Interim Executive Director were specifically designated by the National PAT office to serve as the PAT state office and state leader, responsible for oversight of all Maine PAT activities and reporting requirements to the Department and the National PAT office. MCT also developed and provides the Core Orientation training required for all new staff.

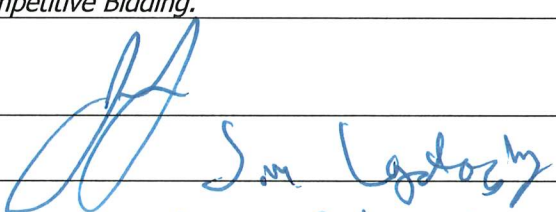
In addition, the MCT is unique in that it employs qualified staff to offer the Brazelton Touchpoints training and mentorship to all staff that guides the Maine Families' approach to working with families. Bringing Brazelton Touchpoints requires a year-long investment of leadership support, financial and in-kind resources for planning and professional development, engaging stakeholders, identifying needs, and a plan to implement Touchpoints into the community, as well as approval from the Brazelton Touchpoints Institute. This process, requires a minimum of three (3) Touchpoints qualified persons to attend out of state trainer training, ultimately assembling a Touchpoints Team.

The PAT affiliates annually report data on service delivery and program implementation. The data is used for continuous quality improvement, including participating in the Quality Endorsement and Improvement Process every five years. The Electronic Records and Information Network (ERIN), was created specifically for MCT for the Maine Families Home Visiting program. ERIN holds the records for all enrolled families, allows agencies to collect, enter, and submit all Home Visiting information, provides reports for all HRSA required reporting, the PAT Annual Performance Report, and allows for statewide evaluation and CQI. ERIN has off-site back-up and meets HIPAA compliance standards.

The process to create a new data collection and reporting system could prove timely, costly, and create a disruption in the delivery of services to eligible families.

**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.

<b>Signature of requesting Department’s Commissioner or Chief Executive (or designee within the Commissioner’s Office):</b>	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
<b>Printed Name:</b>	
<b>Date:</b>	10-02-19