

## 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.

<b>Requesting Department's Contract Administrator:</b>	Libby Stone-Sterling	<b>Office/Division/Program of Contract Administrator:</b>	Labor, Bureau of Rehabilitation Services
<b>Est. Contract Amount:</b>	\$ 10,000	<b>Contract or RQS Number:</b>	20190909*0775
<b>Proposed Start Date:</b>	<b>September 1, 2019</b>	<b>Proposed End Date:</b>	August 31, 2020
<b>Vendor/Provider Name, City, State:</b>	Goodwill Industries of Northern NE Gorham ME		
<b>Short Description of Good or Service:</b>	Progressive Employment (PE) Pilot Initiative – Community Rehabilitation Provider (CRP) will attend weekly PE coordination meetings; accept 40 DVR clients and provide employment services; develop 25 PE business partnerships; attend 15 hours of PE trainings and collect data and complete reports; participate in feedback sessions and interviews with TWBL evaluators.		
<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>	<p><b>To be completed by the Division of Procurement Services</b></p> <p>Posting dates on Division of <b>Procurement Services</b> website:            From: <u>11/5/2019</u> To: <u>11/11/2019</u></p>		
<b>Notice of Intent to Waive Competitive Bidding Number:</b>	NOI# 1120191831		
<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.			
<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><b>Signature:</b></p>	
		<p><b>Printed Name:</b></p>	<p><b>Date:</b></p>

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

	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: (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>
X	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) 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 Maine Division of Vocational Rehabilitation (DVR) has been awarded a Transition Work-Based Learning (TWBL) Model Demonstration grant from the Rehabilitation Services Administration (RSA). The grant will be a partnership with Jobs for Maine Graduates (JMG), the Institute for Community Inclusion (ICI) at the University of Massachusetts Boston, American Institutes for Research (AIR), and the Council of State Administrators of Vocational Rehabilitation (CSAVR). This project will use a quasi-experimental design to conduct rigorous evaluation of two innovative interventions, JMG and Progressive Employment. Maine DVR will utilize the Progressive Employment model to expand employer relationships and align this dual customer community-based strategy with enhanced JMG programs for students with disabilities. These interventions will serve at least 200 students with disabilities that are within two years of graduation from high school to test whether a model of work-based learning improves attainment of competitive integrated post-secondary employment and education outcomes. Specifically, under the grant, JMG will expand its services to five new high schools in the Bangor area and DVR will launch Progressive Employment in the Augusta and Bangor

## State of Maine Waiver of Competitive Bidding Request Form

regions. Maine DVR expects that the TWBL Model Demonstration will enhance statewide collaboration that facilitates the transition process from secondary and postsecondary schools, to competitive integrated employment at or above minimum wage. Within 1 year after graduation, at least 90 percent of study participants will enter postsecondary education or competitive integrated employment.

The Progressive Employment Model is a dual-customer strategy that is designed to assist job-seekers with significant barriers to employment and assist employers who may be averse to hiring employees with disabilities. The model coordinates rehabilitation counseling with job placement and business account management. Selected Community Rehabilitation Providers (CRPs) will develop Progressive Employment opportunities within the catchment area identified (Bangor or Augusta regions). These activities include: informational interviews, job shadows, business tours, on-the-job training/apprenticeships and paid work experiences.

Goodwill Industries Northern NE is one of the six agencies that has agreed to provide employment services to clients of DVR and has agreed to fully participate throughout the duration of the year-long project.

### **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.

Only accredited and properly trained CRP agencies are permitted to provide employment services for DVR clients when referred by a Vocational Rehabilitation counselor. There are 42 agencies state-wide that meet this qualification and agencies that provide these services within the Bangor and Augusta geographic areas were invited to apply. All agencies that applied were accepted to participate in the project.

### **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**.

All participating CRPs are required to:

- Attend regular "Jobsville" meetings
- Agree to accept at least 40 DVR client referrals during the life of the pilot
- Develop at least 25 new businesses during the life of the pilot
- Attend up to 15 hours of Employment Specialist training on Progressive Employment
- Collect client data and complete additional reporting

Minimum participation for completing the above-mentioned requirements, total approximately 100 hours over the course of the project. We expect that most CRP agencies will dedicate over 200 hours, which includes, at least one or more dedicated Employment Specialists, administrative time and agency resources. Travel time and mileage will also be covered by the CRP agency.

Additionally, DVR's request for participation in this project requires a CRP agency to hire additional staff or reassign duties of existing staff members in order to meet the expectations of the pilot project requirements.

The Director of DVR considers the hourly commitment and the commitment for staffing, as noted above, sufficient to justify the cost of the contracted amount.

**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.

Potentially, this project will provide positive results, increasing the number of employment outcomes and ultimately, provide opportunities for further testing and rollout into other areas, throughout the state.

**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.

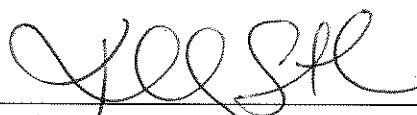
Agencies or individuals can apply at any time to become a Community Rehabilitation Provider or CRP, but must demonstrate compliance with applicable laws and standards required by the Rehabilitation Act of 1973, as amended. A list of qualified, accredited CRP agencies is maintained by ME DVR.

**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:**

Laura A. Fortman, Commissioner

**Date:**

11/4/2019