

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 Shawn Belanger | Office/Division/Program of Contract Administrator: | OCFS/Child Welfare/ Rebecca Harvey |
| Est. Contract Amount: | \$814,529 | Contract or RQS Number: | CT 10A 20190905*0752 |
| | | Purchasing Maine ID: | |
| | | DHHS Agreement Number: | CFS-20-1000 |
| Proposed Start Date: | November 1, 2019 | Proposed End Date: | August 31, 2020 |
| Vendor/Provider Name, City, State | University of Maine System dba University of Southern Maine Portland, ME | | |
| Short Description of Good or Service: | Policy, Training System and Workforce Development | | |
| 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>11/7/2019</u> To: <u>11/13/2019</u> | |
| Notice of Intent to Waive Competitive Bidding Number: | | NOI# 1120191855 | |
| 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: | |
| | | Printed Name: | Date: |
| <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 checked="" 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; | | |
| <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. | | |

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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.

A guiding practice model is a critical part of aligning mission, vision, and policies, which in turn promotes efficiency and consistency across all program areas. A practice model also serves as a guiding theme to support all tools and decisions. In turn, the practice model informs policy and provides guidance for the organization and caseworkers to ensure safe environments for children and day-to-day practice. It is the tool that clearly defines what actions are necessary to keep children safe and ensure consistent performance among staff. In addition, clear policy with consistent application ensures public confidence in safe practices.

OCFS needs strong and clear child welfare policy and procedural guidance for their staff and services which is also informed by staff and other stakeholders. A recent report from the Office of Program Evaluation and Government Accountability noted that "Apart from the ongoing challenges of the job and the OCFS system, workers told OPEGA that policy and work practice changes implemented by OCFS after the deaths of two children by abuse have had an impact on staff." OCFS/USM will collaborate in this project to bring current policies up-to-date in written form and a consistent format. This process is expected to result in a policymaking process that is efficient; engages key stakeholders in the process; and aligns strategies for implementing policies with their staff capacity-building, organizational systems, and leadership at all levels of the organization.

Among the results of the Federal Child and Family Services Review (CFSR), OCFS staff (Caseworker) and provider (Resource Family) training were not in conformity with CFSR outcomes. Within this finding, on-going training and provider training were both in need of improvement. This cooperative effort among OCFS, USM, and others includes activities to assess, design, and implement a model training system that aligns with the agency's policies, practice model, and legal requirements, as well as supporting workforce development in the demanding field of child welfare.

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.

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, to address the identified need more efficiently and effectively than the identified vendor.

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 total project cost reimbursable to the University is \$974,851.

The attached budget outlines the various costs, fees, and rates the University of Southern Maine submitted to the Department for this Cooperative Agreement.

University faculty and salaried employees are paid based on a monthly distribution of their effort. The expectation of a full-time salaried employee is an average forty (40) hours/week and therefore twenty percent (20%) effort would loosely translate to one (1) week per month (or one (1) day per week) on a project. UMS payroll/accounting systems are based on this distribution of effort. This complies with state/federal labor law, as well as Uniform Guidance regulating use of federal funds. It also follows standard industry practice at Universities.

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The expectation of full-time effort for graduate students is different than a full-time employee. A full-time one-hundred percent (100%) graduate assistantship would translate to an average twenty (20) hours/week over the twenty-four (24)-week academic year; part time – fifty percent (50%) effort - would translate to an average ten (10) hours per week. Graduate student pay is based on a fixed amount distributed over the period of the assistantship.

For this Cooperative Agreement, the University has proposed a total of 5.45 full-time staff (545% monthly effort) across a project team of (11) eleven, as well as two (2) part-time graduate student fifty percent (50%) effort. This is documented in the project budget.

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 issue an RFP for these services.

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 Child Welfare Cooperative Agreement 2019-2020 leverages the University of Southern Maine’s long-standing expertise and experience in child welfare, policy and practice, design and implementation, workforce development, and research and evaluation, to support and strengthen the Office of Child and Family Services’ (OCFS) Child Welfare program.

From 1989-2012, USM directed and staffed The Child Welfare Training Institute (CWTI), offering the latest, advanced training and education in a variety of human services topics for child welfare professionals and foster/adoptive/resource families. CWTI educators came with experience in their field, offering training topics designed for Maine’s child welfare system, utilizing classroom teaching and eventually distance learning education. The training content included the Introductory Training for New Casework Staff that offered workshops and group learning on topics including self-awareness, communication skills, social work ethics, child abuse and neglect, family dynamics, interviewing, permanency, family team meetings, Indian Child Welfare Act (ICWA), etc.

USM has successfully delivered capacity building services and interventions to child welfare agencies in all fifty (50) States and over two-hundred (200) Tribal Nations. Recent experience in New York, New Hampshire, Colorado, Massachusetts, and Virginia shows USM’s breadth of capacity in working to build capacity in improving permanency, safety, and well-being through data analysis, practice model development and implementation, and developing curriculum and training systems. USM brings experience in networking to develop strong and effective relationships with partner organizations at the local, regional, national, and international levels. USM has been a member of the Children’s Bureau Training Technical Assistance Network for over thirty (30) years, housing the National Resource Center for Organizational Improvement (NRCOI) and the Northeast and Caribbean Implementation Center (NCIC), as a partner on the National Child Welfare Workforce Institute (NCWWI) and the current Capacity Building Center for Tribes (CBCT), and as a frequent collaborator with other Capacity Building members.

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

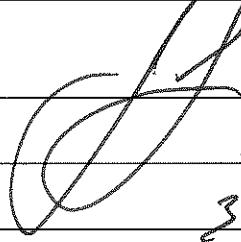
Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e.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


Jim Lapostoly
30 - Oct - 19