

PM-20540
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.

Requesting Department's Contract Administrator:	Sonja Morse	Office/Division/Program of Contract Administrator:	Maine Department of Corrections
Est. Contract Amount:	\$ 100,000	Contract or RQS Number:	2018042300000003263
Proposed Start Date:	July 1 st , 2018 (original)	Proposed End Date:	June 30 th , 2020
Vendor/Provider Name, City, State:		Opportunity Alliance, 50 Lydia Lane, South Portland, ME, 04106	
Short Description of Good or Service:		Community-based reintegration home for transition age youth reentering the community upon secure confinement at Long Creek Youth Developmental Center.	
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>11/25/2019</u> To: <u>12/1/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 1120191924	
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:	
<input type="checkbox"/>		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;		

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

	<p>D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;</p>
	<p>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:</p> <p style="margin-left: 20px;">(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;</p> <p style="margin-left: 20px;">(2) A sharing of project responsibilities and, when appropriate, costs;</p> <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: http://www.maine.gov/purchases/info/forms/qovcoop.doc.</i></p>
	<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;</p>
	<p>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.</p>
	<p>If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:</p>

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 Department of Corrections is in need of community-based reintegration home for transition age youth reentering the community upon secure confinement at Long Creek Youth Developmental Center, to ensure that youth reentering the community are connected with education, employment, and independent living skills in non-secure confinement. The additional funds are needed to compensate for a shortfall in initial budget estimates.

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.

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

The Department of Corrections are unable to provide a non-secure community-based reintegration home for youth reentering the community from Long Creek Youth Developmental Center, due to the lack of resources, education, staffing, and expertise. We are unaware of other governmental entities capable of providing this service.

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 additional grant funding will close the gap to continue to run the current programming through the end of the fiscal year, June 30, 2020. The Budget Breakdown includes the following:

Personnel \$57, 800;
Benefits and Fringe \$16, 184;
Food \$1,200;
Insurance \$500;
Facilities/Rent Expense \$8,400;
Utilities \$1,400; Supplies \$500;
Payroll Processing \$258;
IT allocation \$1,500; and
Admin Allocation \$12,258.
Totaling \$100,000.

The cost was negotiated through two meetings, financial breakdowns of cost, which the Department considers fair and reasonable.

5. Future Competition

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

Opportunity Alliance Community Reintegration Home Transition Living Program was awarded through an RFP 201603056, which is covered under renewal until 6/30/2020. This amendment is a continuation of the same 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.

State of Maine Waiver of Competitive Bidding Request Form

Opportunity Alliance Community Reintegration Home Transition Living Program is eligible to young men who will be released on a Community Reintegration Status, who will be in need of housing, independent living skills, education, and/or employment development. Youth will be granted housing in the greater Portland area to ensure access to public transportation, job sites, and other supportive services. Youth will be provided 24/7 staff supervision and the provider will serve up to 6 young men for lengths of stay up to 6 months (longer based on the youth's needs and approval of DOC). Upon completion of programming, young adults will have the option to access up to six months of aftercare support based on the individual planning and needs.

Due to a staffing shortfall and unanticipated costs of the requested services, the vendor is in need of additional funding to continue to operate the program effectively. Hiring an outside vendor would be unnecessarily burdensome and costly; therefore, Opportunity Alliance Community Reintegration Home Transition Living Program has the unique skill, expertise, facility, and qualifications to carry out the above tasks.

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:

Colin O'Neill

Date:

11/4/19