

PM-20853
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:	\$ 300,000 (\$100,00 Year 1 \$100,00 Year 2 \$100,00 Year 3)	Contract or RQS Number:	CT 03A 20190723000000000236
Proposed Start Date:	8/1/2019 (original)	Proposed End Date:	10/31/2022
Vendor/Provider Name, City, State:	Youth Advocate Programs, Inc. 2007 North 3 rd Street, Harrisburg, PA, 17102		
Short Description of Good or Service:	Youth Advocate programs, Inc. will assist MDOC with implementing the Credible Messenger Mentors program into Maine communities statewide.		
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>12/04/2019</u> To: <u>12/10/2019</u>	
Notice of Intent to Waive Competitive Bidding Number:	NOI# 1220191960		
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;			
<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:

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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: (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>
	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.	
The Maine department of Corrections (MDOC) is in need of programming that incorporates transformative mentoring model to help youth who are formally justice involved. MDOC is in need of support to build capacity for Credible Messenger Mentoring programs statewide. The additional federal grant funding including in this amendment will increase capacity to reach previously incarcerated youth and currently incarcerated youth to be connected with advocates within their communities.	
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.	

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MDOC does not have the staffing, support, or expertise to build capacity for Credible Messenger Mentoring programs on a statewide basis, nor are we aware of or governmental entities capable of doing so.

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 federal grant funding will increase capacity to reach previously incarcerated youth and currently incarcerated youth to be connected with advocates within their communities. The \$100,000 annual cost was discussed and negotiated, which the Department considers fair and reasonable. A full budget will be provided with the signed contract.

5. Future Competition

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

The federal grant is for three-years with potential for renewals and the state contract is also for three years. Other vendors will be considered for future grant opportunities.

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

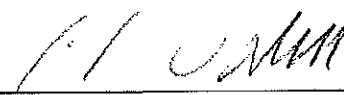
Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary data, also explain the necessity of these particular unique assets.

YAP utilizes a multifaceted individualized approach through intensive wraparound services, advocacy, education and vocational work while working with youth and families involved in the juvenile justice, child welfare, behavioral health and education systems. YAP Advocates provide intensive 24/7 supervision for their youth, averaging 18 hours per week and has a "No Reject, No Eject policy," which enables all youth, regardless of risk or need, history, or program engagement, to obtain YAP services. Therefore, YAP has extensive experience in credible messenger mentoring and has the capacity to guide MDOC in expanding and building credible messenger programs across the state through consultations, due to their experience and knowledge, as stated above.

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.

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Signature of requesting Department's Commissioner or Chief Executive (or designee within the Commissioner's Office):	<i>By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.</i>
	
Printed Name:	Colin O'Neill
Date:	11/20/2019