

## PM-21389 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>	Amanda Woolford	<b>Office/Division/Program of Contract Administrator:</b>	Maine Department of Corrections
<b>Est. Contract Amount:</b>	\$ 697,733	<b>Contract or RQS Number:</b>	03A 20191112*1517
<b>Proposed Start Date:</b>	January 1, 2020	<b>Proposed End Date:</b>	September 30, 2022
<b>Vendor/Provider Name, City, State:</b>	NAMI-ME 52 Water Street, Hallowell ME		
<b>Short Description of Good or Service:</b>	Targeted interventions for incarcerated women with Mental Illness or Co-Occurring Mental Illness and Substance Abuse.		
<p>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.</p>		<p><b>To be completed by the Division of Procurement Services</b> Posting dates on Division of <i>Procurement Services</i> website: From: <u>12/19/2019</u> To: <u>12/25/2019</u></p>	
<b>Notice of Intent to Waive Competitive Bidding Number:</b>	NOI# <b>1220192076</b>		
<p><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>			
<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 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		
<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>	
		<b>Printed Name:</b>	<b>Date:</b>

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	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>
	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.

To address the high rate of incarcerated females who have Mental Illness (MI) or Co-Occurring Mental Illness and Substance Abuse (CMISA), NAMI-ME will convene an interagency work group to advise MDOC and NAMI-ME on the targeted implementation of interventions to train formerly incarcerated women as peer-support specialists and to enhance community connections to increase utilization of MI services upon release. They will also create and train our staff working with incarcerated women in a gender responsive (GR) Crisis Intervention Team Model along with a GR Mental Health First aid.

We anticipate the targeted interventions designed for female offenders will result in outcomes related to improved wellbeing that will impact return to custody rates; reduce incidents of violence on the unit; increase prosocial behavior; decreased substance use; and improved self-actualization. We anticipate the targeted interventions for staff will result in outcomes related to offenders' improved wellbeing that will impact return to custody rates; reduced incidents of violence on the unit; increased officer safety; increased job satisfaction; and increased staff wellness.

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**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.

This is highly specialized training which is not available within Maine State government, nor within any other local, state or federal agency that the MDOC is aware of.

**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**.

A detailed budget is included in the vendor's proposal which will be incorporated into the agreement. Various budget discussions took place and the Department considers all costs to be 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.

The Department will consider procuring these services through competitive bid when/if we become aware of other entities which are capable of providing said 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.

NAMI-ME is uniquely qualified to provide the requested services as a result of their training and experience in the following areas:

- Offers compassion and provides social/emotional support for all persons affected by mental illness
- Advocates for improved quality of services for all persons affected by mental illness
- Educates, inform, and provide resources for and about mental illness
- Raise public awareness and promote understanding of mental illness
- Promotes the importance of peer support for all persons affected by mental illness

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- Trains volunteers and professionals
- Fosters a statewide network of affiliates and support groups

MEDOC and NAMI-ME plan to utilize the requested funds to address the issue of rising female incarceration rates attributed to Maine's opioid epidemic, and the high rates of incarcerated women with MI or CMISA, by focusing targeted interventions on three populations: 1) female offenders (160+ per year) with MI or CMISA; 2) staff (160) working with women with MI or CMISA; and 3) and formerly incarcerated women (5+ per year).

Due to their vast training and broad outreach, MDOC believes NAMI-ME is uniquely qualified to do this work.

**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:**

Ryan F. Thorne

**Date:**

12-19-19