



PROCUREMENT JUSTIFICATION FORM (PJF)

This form must accompany all contract requests and sole source requisitions (RQS) over \$10,000 submitted to the Office of State Procurement Services.

INSTRUCTIONS: Please provide the requested information in the white spaces below. All responses (except signatures) must be typed; no hand-written forms will be accepted. See the guidance document posted with this form on the Procurement Services intranet site (Forms page) for additional instructions.

| PART I: OVERVIEW | | | |
|---|-------------------------------|--|--|
| Department Office/Division/Program: | | Department of Professional and Financial Regulation | |
| Department Contract Administrator or Grant Coordinator: | | Misty Robinson | |
| (If applicable) Department Reference #: | | | |
| Agency Department Code: | 02A | Advantage CT / RQS #: | 20260108000000001514 |
| Amount: (Contract/Amendment/Grant) | \$182,808.50 | | |
| CONTRACT | Proposed/Original Start Date: | 1/1/2025 | Proposed/Most Recent End Date: 5/31/2027 |
| AMENDMENT | New Effective Date: | | New End Date (if Applicable): |
| GRANT | Project Start Date: | | Grant Start Date: |
| | Project End Date: | | Grant End Date: |
| Vendor/Provider/Grantee Name, City, State: | | Seven Tree Solutions, LLC PO Box 13 Canden, ME 04843 | |
| Brief Description of Goods/Services/Grant: | | Hearing Officer Services | |

| PART II: JUSTIFICATION FOR VENDOR SELECTION | | | |
|--|----------------------------------|--------------------------|----------------------------------|
| Check the box below for the justification(s) that applies to this request. (Check all that apply.) | | | |
| <input type="checkbox"/> | A. Competitive Process | <input type="checkbox"/> | G. Grant |
| <input type="checkbox"/> | B. Amendment | <input type="checkbox"/> | H. State Statute/Agency Directed |
| <input checked="" type="checkbox"/> | C. Single Source/Unique Vendor | <input type="checkbox"/> | I. Federal Agency Directed |
| <input type="checkbox"/> | D. Proprietary/Copyright/Patents | <input type="checkbox"/> | J. Willing and Qualified |
| <input type="checkbox"/> | E. Emergency | <input type="checkbox"/> | K. Client Choice |

| | | | |
|--------------------------|---|--------------------------|------------------------|
| <input type="checkbox"/> | F. Higher Education Cooperative Project | <input type="checkbox"/> | L. Other Authorization |
|--------------------------|---|--------------------------|------------------------|

Please respond to ALL of the questions in the following sections.

PART III: SUPPLEMENTAL INFORMATION

1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.

The underlying mission of state regulatory agencies is to provide meaningful due process to individuals who have a property interest in a license issued by the State. The adjudicatory hearing process is the outward sign of due process in action and forms the basis of due process in the administrative law process. The regulatory agencies and licensing programs within the Department of Professional and Financial Regulation conduct many adjudicatory hearings during the course of a year. The integrity of the PFR adjudicatory hearing process rests on the Department's ability to provide independent impartial hearing officers to preside over these adjudicatory hearings. The Department's process was questioned recently during discussions with stakeholders and legal counsel. It was noted that the Department had a single hearing officer to handle the 60 – 100 hearings conducted each calendar year. At that time, the Department agreed to make efforts to increase the number of available hearing officers. This justification addresses the need to add another individual with the required administrative law background to the existing roster of independent hearing officers available to the Department.

It is not an easy task to identify appropriate candidates for this specialized legal work. Although we have tried other ways of providing this service, the Department has found that attorneys with the required administrative law and procedural experience provide the highest quality service to state agencies. More importantly, we see an individual who is completely independent of any agency within the Department in order to reinforce the concept that regulatory matters must be resolved in a setting in which the presiding officer has no bias or allegiance to either party to the dispute.

2. Provide a brief justification for the selected vendor to supplement the response in Part II. Reference the solicitation (RFP/RFA/RFQ) number if applicable.

To avoid the perception of a conflict of interest or lack of objectivity, a hearing officer must be independent of the Department and the regulatory agencies within it.

Although borrowing staff from another agency or department may have been an option in the past, current economic conditions and the streamlining of the state workforce make this option unrealistic even if it were determined that staff from other departments or agencies possessed the necessary legal background and experience.

3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The Department compared the costs over time since we entered into the first multiyear contract with the primary hearing officer. This contract is for two years and the hourly charge for the service is not unreasonable given the increases in overall expenses of licensing programs.

PART III: SUPPLEMENTAL INFORMATION

4. Describe the plan for future competition for the goods or services.

Although it may be desirable that all services provided to state agencies should be awarded on a competitive basis, our efforts to generate interest in this service have not been successful. This is not full-time work; as such, the compensation does not meet the needs of most practicing attorneys. We are fortunate, frankly, to have attracted a competent attorney with excellent experience who has been vetted by the Attorney General's Office and who has provided high quality services during the course of past contracts.

PART IV: AMERICAN RESCUE PLAN ACT (ARPA) / MAINE JOBS & RECOVERY PLAN (MJRP)

Does this request utilize ARPA/MJRP funds?

Yes, MJRP funds (023) – If Yes, please attach the approved Business Case(s).

Yes, ARPA funds (025) or (026) – If Yes, please be aware of the requirements from awarding federal agencies.

No – If No, proceed to Part V.

PART V: CONFLICTS OF INTEREST (COI); CONTRACT WITH THE STATE

Maine law contains Conflict of Interest statutes directed to State Departments, State Officers, and Employees Generally under MRS [Title 5, §18](#) and [§18-A](#), in harmony with MRS [Title 17, §3104](#).

The requesting department's signatory affirms, understands, and acknowledges Maine's Conflict of Interest statutes and, in accordance with those statutes and to the best of their knowledge, has determined that no conflict of interest exists at the time of this contract, renewal, or amendment.

PART VI: APPROVALS

Governor/Department Commissioner or Designee

1. The signature below indicates approval of this procurement request.

Signature of requesting
Department's Commissioner
(or designee):

Joan Cohen

Typed Name:

Joan Cohen

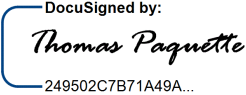
Date:

01/09/2026

2. Additional signature required **ONLY if box E (Emergency) is selected in PART II**. The signature below indicates approval by the Department's Commissioner, or the designee specifically authorized to approve emergency procurement requests.

| | | | |
|--|--|-------|--|
| Signature of requesting Department's Commissioner (or designee): | | | |
| Typed Name: | | Date: | |

****OSPS Section Only****

| | | | |
|---|---|-------|----------|
| Signature of DAFS Procurement Official: |  | | |
| Typed Name: | Thomas Paquette | Date: | 1/9/2026 |


PJF - Hearing Officer - Rebekah Smith - 1.1.2025 to 5.31.27

Final Audit Report


2026-01-09

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|-----------------|--|
| Created: | 2026-01-09 |
| By: | Misty Robinson (misty.b.robinson@maine.gov) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAI00bVfADw8DBPTrA9z1zzl0v3cCdloa3 |


"PJF - Hearing Officer - Rebekah Smith - 1.1.2025 to 5.31.27" History

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 Agreement completed.

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