

## State of Maine Procurement Justification Form

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 submitted to the Division of 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 Division of Procurement Services website (Forms page) for additional instructions.

PART I: OVERVIEW				
Department Office/Division/Program:	Office of the Public Advocate			
Department Contract Administrator or Grant Coordinator:	Robert A. Creamer Senior Counsel			
(If applicable) Department Reference #:	N/A			
Amount: (Contract/Amendment/Grant)	\$ 17,000.00	Advantage CT / RQS #:	CT20160525000000003720	
CONTRACT	Proposed Start Date:	July 1, 2019	Proposed End Date:	June 30, 2020
AMENDMENT	Original Start Date:	July 1, 2019	Effective Date:	February 11, 2020
	Previous End Date:	June 30, 2020	New End Date:	June 30, 2020
GRANT	Project Start Date:		Grant Start Date:	
	Project End Date:		Grant End Date:	
Vendor/Provider/Grantee Name, City, State:	North Side Energy, LLC Acton, MA 01720			
Brief Description of Goods/Services/Grant:	Continued consulting services for new and on-going natural gas-related proceedings at the Maine Public Utilities Commission.			

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Mark an "X" before the justification(s) that applies to this request. (Check all that apply.)			
	A. Competitive Process		G. Grant
<b>X</b>	B. Amendment		H. State Statute/Agency Directed
<b>X</b>	C. Single Source/Unique Vendor		I. Federal Agency Directed
	D. Proprietary/Copyright/Patents		J. Willing and Qualified
	E. Emergency		K. Client Choice
	F. University Cooperative Project		L. Other Authorization

PART III: SUPPLEMENTAL INFORMATION
Please respond to ALL of the following:
<b>1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.</b>

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### PART III: SUPPLEMENTAL INFORMATION

There are a number of on-going natural gas-related Commission dockets which have continued to proceed for longer than anticipated. In addition, some unforeseen cases, including Dockets 2019-00101 & 2019-00015, used up a considerable portion of the original budget amount, leaving insufficient funds for remainder of this contract.

The Office of the Public Advocate (OPA) continues to be involved in a series of natural-gas utility cases before the Maine Public Utilities Commission (PUC) and the Federal Energy Regulatory Commission (FERC). These cases involve issues that will directly affect the cost of gas for natural-gas consumers in Maine who are retail customers.

#### 2. Provide a brief justification for the selected vendor to supplement the response in Part II.

OPA requires the consulting services of North Side Energy, LLC, who is already familiar with the specific details of the on-going cases and knows more about such natural-gas issues than any other expert that the OPA is aware of.

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


Because OPA has worked already with North Side Energy, LLC in many natural-gas utility proceedings, the Office of the Public Advocate has concluded that the rate we have negotiated with Mr. Rosenkranz is fair and reasonable.

Given the amount of work that it will take to review all the filings and to participate in the PUC investigations and FERC proceedings, Mr. Rosenkranz's effective hourly rate (\$200/hour) will be substantially below the going market rate (at least \$300/hour). For further detail, see attached.

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

The Office of the Public Advocate is always seeking out new consultants and plans on submitting a request for proposal for consulting expertise in this field this Spring.

### PART IV: APPROVALS

<b>Signature of requesting Department's Commissioner (or designee):</b>	<i>By signing below, I signify that I approve of this procurement request.</i>		
			
<b>Printed Name:</b>	Barry J. Hobbins	<b>Date:</b>	2-10-2020
<b>Signature of DAFS Procurement Official:</b>	DocuSigned by: <i>Sue H. Garcia</i>		
<b>Printed Name:</b>	E5DB92AC0E8D490 Sue H. Garcia	<b>Date:</b>	2/14/2020