

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: | | Labor | | |
| Department Contract Administrator or Grant Coordinator: | | Patricia O'Brien | | |
| (If applicable) Department Reference #: | | | | |
| Amount: (Contract/Amendment/Grant) | \$4,840,080 | Advantage CT / RQS #: | CT 12A 20210202*2152 | |
| CONTRACT | Proposed Start Date: | 1/25/2021 | Proposed End Date: | 9/30/2021 |
| AMENDMENT | Original Start Date: | | Effective Date: | |
| | Previous End Date: | | New End Date: | |
| GRANT | Project Start Date: | | Grant Start Date: | |
| | Project End Date: | | Grant End Date: | |
| Vendor/Provider/Grantee Name, City, State: | | Provitivi Government Services 1640 King Street Alexandria VA 22314 | | |
| Brief Description of Goods/Services/Grant: | | Staff services unemployment appeals, adjudication and administrative support | | |

| 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. Amendment | | H. State Statute/Agency Directed |
| X | C. Single Source/Unique Vendor | | I. Federal Agency Directed |
| | D. Proprietary/Copyright/Patents | X | J. Willing and Qualified |
| X | E. Emergency | | K. Client Choice |
| | F. University Cooperative Project | | L. Other Authorization |

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

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PART III: SUPPLEMENTAL INFORMATION

The Department is continuing to handle unprecedented workloads related to widespread unemployment along with implementation and administration of CARES act programs. As a result, we currently have backlogs in the following areas that have a direct effect on claimants receiving unemployment benefits;

Appeals – currently unscheduled approximately 8,000 with approximately 900 on the docket

The following backlogs relate to claims services;

Non adjudication related backlog

- Overpayment crossmatch: 2,000 issues to be worked, this volume is increasing by 900 on weekly basis
 - Work Search: 3,894 individual claimants (total 9,943 issues to be worked), this volume is increasing by 510 on a weekly basis
 - Able and available: 1,715 issues to be worked, this volume is increasing by 200 on a weekly basis
- Total: 7,609

Adjudication Backlog:

- Current adjudication backlog is at 18,013 individual issues to be worked. Adjudication needs to take place to determine non-monetary eligibility issues, once determined, many will release payment of unemployment benefits.

We are requesting utilizing Protiviti, the government services entity of Robert Half, who will provide staffing to address these backlogs. Based on actuarial projections we determined claim volumes, taking into consideration the latest stimulus programs. From this information, we determined the contracted staffing level needs outlined in the proposal from the vendor.

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

There are two vendors in the Unemployment Insurance realm that are providing staffing services for appeals, which determined our initial potential vendor pool; Robert Half and Maximus.

References for Robert Half were checked. They are currently providing staffing services for the Montana Department of Labor and Industry, specifically benefits/call center work to support their Benefits Division. Robert Half is also providing the Missouri DOL staff services to support their appeal unit. Missouri currently has 40 Robert Half (RH) staff engaged. RH hearing officers conduct hearings and write recommended decisions that get forwarded to MO hearing officers who then listen to the record, review documents in evidence and then issue decisions under their own name. Missouri also stated that they employed the pod lead model of management whereby RH managers manage the RH hearing officers. This has worked well both with training and maintaining quality and accuracy.

Both states that have engaged RH have been very happy with their engagement with this vendor.

The Department also talked to and asked for a proposal from Maximus. Maine wanted JD's (attorney's) for the appeals work. Maximus was not able to staff JDs. They were only providing adjudication services with paralegals. Neither the Chief Hearing Officer nor the Assistant Attorney General was comfortable with this option.

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PART III: SUPPLEMENTAL INFORMATION

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

The current rates outlined for adjudication staff are very reasonable and are close to our fully burdened costs.

The rate outlined for hearing officers are lower than our fully burdened costs for similar staffing.

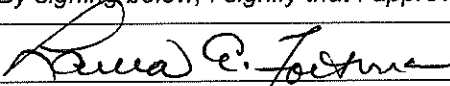
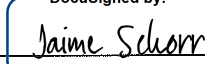
The administrative support staffing cost is higher than a temp agency but the engagement of appeals staffing and administrative support staffing along with supervision of both needs to happen concurrently due to the nature of the workflow, or it will be problematic. As a result, we felt the rate was reasonable.

We will be using federal funding for this agreement.

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

N/A We don't anticipate a long term need for these services. The current backlog is directly connected to our COVID related workload.

PART IV: APPROVALS

| | | | |
|---|---|--------------|-----------|
| Signature of requesting Department's Commissioner (or designee): | <i>By signing below, I signify that I approve of this procurement request.</i> | | |
| |  | | |
| Printed Name: | Laura A. Fortman | Date: | 2/3/2021 |
| Signature of DAFS Procurement Official: | DocuSigned by:  | | |
| Printed Name: | Jaime Schorr <small>6D6437754DD0459</small> | Date: | 2/11/2021 |