



PROCUREMENT JUSTIFICATION FORM (PJF)

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 intranet site (Forms page) for additional instructions.

PART I: OVERVIEW				
Department Office/Division/Program:	DPFR / Insurance			
Department Contract Administrator or Grant Coordinator:	Timothy N. Schott 207-624-8403			
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 150,000	Advantage CT/RQS:	20220222 1940	
CONTRACT	Proposed Start Date:	1/1/2022	Proposed End Date:	6/30/2023
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:	Verrill Dana LLP One Portland Square Portland, ME 04101-4057			
Brief Description of Goods/Services/Grant:	Insurance Company Consultation 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"/>	<input type="checkbox"/>	G. Grant
<input type="checkbox"/>	B. Amendment	<input type="checkbox"/>	<input type="checkbox"/>	H. State Statute/Agency Directed
<input checked="" type="checkbox"/>	C. Single Source/Unique Vendor	<input type="checkbox"/>	<input type="checkbox"/>	I. Federal Agency Directed
<input type="checkbox"/>	D. Proprietary/Copyright/Patents	<input type="checkbox"/>	<input type="checkbox"/>	J. Willing and Qualified
<input type="checkbox"/>	E. Emergency	<input type="checkbox"/>	<input type="checkbox"/>	K. Client Choice
<input type="checkbox"/>	F. University Cooperative Project	<input type="checkbox"/>	<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.

This arrangement is necessary in order to provide specialized skill sets, beyond that of Maine Bureau of Insurance (“MBOI”) staff, which is crucial in the delivery of insurance company regulatory oversight. The frequency of the need for these services is not possible to predict. As such, it is not economically feasible nor is it practical for the MBOI to maintain staff with these skill sets.

2. Provide a brief justification for the selected vendor to supplement the response in Part II. Reference the RFP number, if applicable.

Verrill Dana, LLP (“VDL”) employs unique individuals with qualifications and experience not easily replicated, namely J. David Leslie. An example of VDL’s skill set follows: Earlier in the past decade, VDL’s predecessor firm Rackemann Sawyer & Brewster (“RSB”) performed an examination on Unum Life Insurance Company of America (“ULA”), a ME domiciled insurer. The RSB examination, led by J. David Leslie, was performed subsequent to a full scope comprehensive claim handling review performed by a leading examination firm. The leading examination firm concluded that ULA adjudicated claims properly. RSB performed its examination shortly after the leading firm concluded their review with no findings. RSB identified significant claim handling issues in an extremely short period of time. The RSB examination resulted in significant findings and an unprecedented multi-state regulatory settlement.

Since the ULA market conduct examination, the regulators of ME and MA are targeting ULA competitors to ensure that claims handling practices are not resulting in a competitive advantage. As such, the experience and expertise that VDL now has with J. David Leslie, allows for the MBOI to ensure that ULA competitors handle claims in a manner similar to the practices required of ULA.

J. David Leslie is the VDL contact person. Mr. Leslie has extensive insurance industry knowledge. Mr. Leslie represented the Commonwealth of Massachusetts in the Harvard rehabilitation and the Minuteman receivership.

Mr. Leslie is currently leading several ongoing high profile MBOI projects including Maine Community Health options administrative oversight, two market conduct projects, and State of Maine legal representation in the Senior Health Insurance Company of Pennsylvania court case. The Senior Health Insurance Company of Pennsylvania court case has evolved into a national precedent setting case whereby significant additional resources are being/will be expended.

Mr. Leslie’s skill set is not readily available in the marketplace.

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

The MBOI used the VDL predecessor firm RSB in the past. RSB rates were extremely competitive. VDL rates are unchanged from RSB rates. The contractor is extremely efficient and knowledgeable and is able to deploy resources effectively.

PART III: SUPPLEMENTAL INFORMATION

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

None.

This contract is an insurance company market conduct/legal consultation contract. The MBOI wishes to contract with VDL in order to receive a wide variety of insurance company consultation services.

Presently, VDL as successor to RSB is engaged in significant multi-state market conduct examinations and three Maine domestic insurance company matters.

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

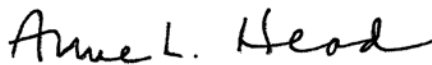

Does this request utilize ARPA/MJRP funds?

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

No – If No, proceed to Part V.

PART V: APPROVALS

The signatures below indicate approval of this procurement request.

Signature of requesting Department's Commissioner (or designee):			
Typed Name:	Anne L. Head	Date:	02/24/2022
Signature of DAFS Procurement Official:			
Typed Name:	<small>1DFA565D481F42E...</small> Debbie Jacques	Date:	3/3/2022