



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:		Office of the Public Advocate	
Department Contract Administrator or Grant Coordinator:		William S. Harwood, Public Advocate	
(If applicable) Department Reference #:		Sole-Source: OPA Study on Reform of Electricity Supply per 2022 P.L. Ch. 164	
Amount: (Contract/Amendment/Grant)	\$ 20,000.00	Advantage CT / RQS #:	20220808000000000428
CONTRACT	Proposed Start Date:		Proposed End Date:
AMENDMENT	Original Start Date:	8/15/2022	Effective Date:
	Previous End Date:	6/30/2024	New End Date:
GRANT	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:		Baldwin Consulting Groton, MA	
Brief Description of Goods/Services/Grant:		Continued expert consulting services to assist OPA with its analysis of the State's current system of retail electricity supply and this market's impact on residential/small business customers. (2022 P.L. ch. 164)	

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 checked="" type="checkbox"/>	B. Amendment	<input checked="" 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. University 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.

As an outcome of consultant's initial report: "Reform of Electricity Supply: CEP-Served Residential Retail Electric Market," January 13, 2023, the OPA was directed by the Energy, Utilities & Technology joint standing committee of the Legislature (EUT), pursuant to 2022 Public Law, Chapter 164, to provide more detail analysis of the State's current system of retail electricity supply and this market's impact on residential/small business customers.

The third phase of this project consists of conducting and summarizing up-to-date detailed analyses of the CEP market; create maps to illustrate how CEP's presence varies; compose a Third Report; and assist OPA with the preparation of discovery questions.

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

Sec. 2 of said public law authorizes OPA to retain consultant(s).

Due to the extent of the in-depth research and analysis of billing data needed to be reviewed in this third phase of the study on reform of retail electricity supply, and the short timeline given to complete and submit a draft report by August 31, 2024, the continued expert consultant services need to resume immediately.

The selected vendor has unique expert experience and specializes in utility economics, regulation, public policy; has consulted on behalf of consumer advocates on diverse matters including electric retail market, consumer protection and consumer services issue; and, is the author of the initial report submitted to the EUT.

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

The vendor's hourly rate compares favorably to other expert witness consultants that the Office has engaged in.

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

The Office of the Public Advocate routinely puts contracts for expert consulting services out to bid through the competitive RFP solicitation process. In this instance the experience of the vendor, the reasonable price offered by the vendor, and the need to retain the consultant for additional supplemental work supported the use of amending its single source contract.

PART III: SUPPLEMENTAL INFORMATION

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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) – 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); PURCHASES BY THE STATE

Does the requesting Department signatory understand and acknowledge Maine's COI Statute?

 Yes, the requesting Department signatory understands and acknowledges [Title 17, Chapter 101, §3104](#).
PART VI: APPROVALS

The signatures below indicate approval of this procurement request.

Signature of requesting Department's Commissioner (or designee):			
Typed Name:	William S. Harwood, Public Advocate	Date:	3/12/2024
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small>  <small>2D5B6E39F57E44A...</small>		
Typed Name:	William J.E. Allen	Date:	3/27/2024

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