



### PROCUREMENT JUSTIFICATION FORM (PJF)

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 submitted to the Office of State Procurement Services.

PART I: OVERVIEW			
Department Office/Division/Program:		Maine Department of Education (MDOE)/Office of Special Services and Inclusive Education (OSSIE)/ Dispute Resolution Office (DRO) Independent Hearing Officers	
Department Contract Administrator or Grant Coordinator:		Leigh Lardieri	
(If applicable) Department Reference #:		N/A	
Amount: (Contract/Amendment/Grant)	\$ 25,000.00	Advantage CT / RQS #:	20250212*1902
CONTRACT	Proposed Start Date:	<b>2/28/2025</b>	Proposed End Date: 2/28/2026
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:		Jacqui Keleher Waterbury, VT	
Brief Description of Goods/Services/Grant:		Under the requirements of the IDEA, the Department offers special education hearings conducted by qualified hearing officers as a form of dispute resolution for parents of students with disabilities age birth – 22, adult students with disabilities, and public agencies.	

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. 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.

Under federal law (IDEA), and state regulations (MUSER) the Dispute Resolution Office (DRO) in the Maine Department of Education (MDOE) must allow families and interested parties to exercise their right to due process, including the right to file a request for a due process hearing. In addition to the retirement of one of our hearing officers, putting our number of hearing officers down to three, we have experienced an increase in requests for due process hearings:

#### Hearing Data

##### Hearing Officers –

There were 5 contracted hearing officers prior to FY21, 1 retired at the end of that year. Another hearing officer retired at the end of FY24.

There are currently 3 hearing officers under contract, 40% less than the level of FY21. We have been trying to find and contract with another hearing officer since FY21.

##### Independent Hearing Officers must meet the following minimum requirements:

- 1) Not be a person who is an employee of the Department, SAU or public agency that is involved in the education or care of the child, or a person having a personal or professional interest that would conflict with his or her objectivity in a hearing.
- 2) Provide evidence of the knowledge of and the ability to understand the provisions of the IDEA, federal and state regulations pertaining to the IDEA, and legal interpretations of the IDEA by federal and state courts.
- 3) Provide evidence of the knowledge and ability to conduct hearings in accordance with appropriate standard legal practice.
- 4) Provide evidence of the knowledge and ability to render and write decisions in accordance with appropriate standard legal practice.

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

Jacqui meets all of the minimum requirements for an Independent Hearing Officer. There are 4 months remaining in FY25, there is potential for 10+ more hearing requests before the end of FY25, we need someone qualified and available for these hearings.

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

Costs are set by the MDOE at a rate of \$200 per hour, for up to three hours per IEP meeting. Administrative costs are paid at \$55 per hour. Independent Hearing Officers submit invoices for services rendered, and we pay them.

**PART III: SUPPLEMENTAL INFORMATION**

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

The future plan is to continue to use the PJF, willing and qualified process.

**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); 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 signatory understands and acknowledges Maine's Conflict of Interest statutes.

**PART VI: APPROVALS**

The signatures below indicate approval of this procurement request.

Signature of requesting Department's Commissioner (or designee):			
Typed Name:	Megan Welter	Date:	2/14/2025
Signature of DAFS Procurement Official:	 <small>DocuSigned by: Kathy Paquette 41C2BA36FAF44CD...</small>		
Typed Name:	Kathy Paquette	Date:	3/3/2025

### Certificate Of Completion

Envelope Id: 296A23DB-89F7-4D1C-B1FB-A996966E42EA	Status: Completed
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Document Pages: 3	Signatures: 1
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Time Zone: (UTC-05:00) Eastern Time (US & Canada)	


### Record Tracking

Status: Original 2/14/2025 9:17:49 AM	Holder: Megan Welter megan.welter@maine.gov	Location: DocuSign
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### Signer Events

Megan Welter  
megan.welter@maine.gov  
Associate Commissioner of Public Education  
Security Level: Email, Account Authentication (None)

### Signature



Signature Adoption: Uploaded Signature Image  
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Sent: 2/14/2025 9:17:49 AM  
Viewed: 2/14/2025 9:18:09 AM  
Signed: 2/14/2025 9:18:36 AM  
Freeform Signing

**Electronic Record and Signature Disclosure:**  
Accepted: 2/22/2022 8:43:12 AM  
ID: a3f5e052-e68a-4555-b08f-3ab2586f161c

### In Person Signer Events

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### Editor Delivery Events

### Status

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### Agent Delivery Events

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### Status

### Timestamp

### Certified Delivery Events

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### Timestamp

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### Timestamp

### Notary Events

### Signature

### Timestamp

### Envelope Summary Events

### Status

### Timestamps

Envelope Sent	Hashed/Encrypted	2/14/2025 9:17:49 AM
Certified Delivered	Security Checked	2/14/2025 9:18:09 AM
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Completed	Security Checked	2/14/2025 9:18:36 AM

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### Status

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

**How to contact Carahsoft OBO Maine Department of Education:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [jennifer.l.tarr@maine.gov](mailto:jennifer.l.tarr@maine.gov)

**To advise Carahsoft OBO Maine Department of Education of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [jennifer.l.tarr@maine.gov](mailto:jennifer.l.tarr@maine.gov) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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- ii. send us an email to [jennifer.l.tarr@maine.gov](mailto:jennifer.l.tarr@maine.gov) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

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