

State of Maine Procurement Justification Form

This form must accompany ALL contract requests and sole source requisitions submitted to the Division of Procurement Services.

PART I: OVERVIEW			
Department Office/Division/Program:		DHHS/Office of MaineCare Services	
Department Contract Administrator or Grant Coordinator:		Mary Alderman Shawn Belanger	
(If applicable) Department Reference #:		OMS-20-010	
Estimated Contract or Grant Amount:	\$48,000	Advantage CT / RQS #:	10A 20200409000000002829
AMENDMENT	Original Start Date:		New Start Date:
	Original End Date:		New End Date:
GRANT	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
ALL OTHER	Proposed Start Date:	4/1/2020	Proposed End Date: 3/31/2021
Vendor/Provider/Grantee Name, City, State:		Brown & Peisch, PLLC Washington, DC	
Brief Description of Goods/Services/Grant:		Legal Counsel	

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Mark an "X" before the justification(s) that applies to this request.			
	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		J. Willing and Qualified
	E. Emergency		K. Client Choice
	F. University Cooperative Project		L. Other Authorization

PART III: SUPPLEMENTAL QUESTIONS
Please respond to ALL of the following questions.
1. Provide a more detailed description of the goods, services or grant to supplement the response in Part I.
The Agreement provides legal services relating to Medicaid issues as authorized by a letter from Attorney General Aaron Frey. The authorization allows the Department to retain the services of the Provider to provide effective legal counsel to the Department on Medicaid issues, including participation in the Provider's Joint State Advisory Service, and also for miscellaneous legal Medicaid advice.

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PART III: SUPPLEMENTAL QUESTIONS

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

The Provider is a national law firm specializing in federal Medicaid issues. Many states use the Provider services for assistance with Medicaid issues, which by their very nature are complex. The Provider has the unique qualifications of being knowledgeable about the federal Medicaid laws and regulations, upcoming challenges to those laws and regulations, and is knowledgeable about many states' Medicaid programs. The state spends a large portion of its budget on Medicaid. Medicaid programs are vulnerable to challenges by the federal government (in the form of CMS or Office of Inspector General audits and recoupments), legal challenges by Medicaid providers and Medicaid recipients. Such challenges could be worth millions of dollars and it is expedient for Maine to utilize the best legal advice available, which includes the Provider.

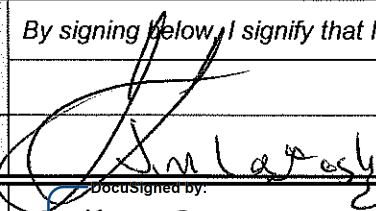
3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

Rates were reviewed and approved by the State's Office of the Attorney General.

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

The Provider is a national law firm with critical federal Medicaid expertise, so there are no plans to put these services out to bid.

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:		Date:	22-Apr-20
Signature of DAFS Procurement Official:	<i>41C2BA36FAF44CD... Kathy Paquette</i>		
Printed Name:	Kathy Paquette	Date:	4/29/2020