



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:	Maine Judicial Branch		
Department Contract Administrator or Grant Coordinator:	Dennis Corliss		
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$ 20,000	Advantage CT / RQS #:	20220322000000002176
CONTRACT	Proposed Start Date:	3/14/2022	Proposed End Date: 9/1/2022
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:	VC0000216699 Lean East 74 Orion St. Brunswick, ME 04011		
Brief Description of Goods/Services/Grant:	Facilitating and Managing a Lean Project		

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 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 checked="" 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.

The Judicial Branch is experiencing several issues related to scheduling that have been exacerbated by the pandemic and need to be addressed to introduce efficiencies for court employee to address a larger than normal backlog, and at the same time address participant time spent in the courthouse.

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

The vendor was recommended by the Department of Labor as a local vendor and one we found that was available for this event. The timing of the event is critical as it needs to occur during the Courts Administrative Week in order to have adequate participation by Judges and Clerks.

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

The offer was made and accepted as fair and reasonable because it includes working with an initial group of 50 people over time from discussion of the problem through reviewing solutions, testing solutions, and implementing them. This is not a single day event and we want participants to not hesitate involving the contractor when appropriate.

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

The emergency nature of this project negated using the RFP process. We anticipate future projects will become available and be selected through the RFP process.

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):

Dennis A Corliss

Dennis A Corliss (Mar 23, 2022 08:39 EDT)

Procurement Justification Form (PJF)

Typed Name:	Dennis Corliss	Date:	3/23/2022
Signature of DAFS Procurement Official:	DocuSigned by: <i>William J.E. Allen</i>		
Typed Name:	<small>2D5B6E39F57E44A...</small> William J.E. Allen	Date:	4/4/2022

NOI 0420220285 04/04/2022 - 01/10/2022

Proposal: Maine Judicial Branch Process Improvement**Introduction:**

This proposal from Lean East to the State of Maine Judicial Branch is based on emails and discussions during calls from the dates of February 25 to March 10, 2022 between Dennis Corliss of the Maine Judicial Branch and Steve Musica of Lean East.

The Maine Judicial Branch would like to improve their level of service to the general public by reducing wasted time for persons called to appear in court. Chief Justice Valerie Stanfill has recently called for internal meetings to be setup that will discuss ways to “adopt innovative practices in high-volume dockets” and improve this level of service.

An initial meeting has been scheduled with key justices and several administrative members of the Maine Judicial Branch on March 14, 2022 to prepare for a Scheduling Retreat with key members of the Maine Judicial Branch on March 29, 2022. Chief Justice Stanfill and the Maine Judicial Branch are requesting process improvement facilitation and support for this retreat, help with understanding the root cause(s) of the issue, and supporting the implementation of changes that will improve the Courts service to the public.

Engagement Overview:

This proposal contains a proposal for a process improvement project that will support the needs identified by the Maine Judicial Branch in our initial conversations. The project follows Lean East’s proven improvement process and includes expert support from Lean East for understanding the problem, planning the solution, implementation, and measuring the results.

1. Scheduling Process Improvements that Reduce Court Wait Times and Improve Services:

This initial engagement is expected to kick-off with a meeting scheduled by the Chief Justice on March 14, 2022 at the Capital Judicial Center in Augusta. This planning meeting will share project goals and desired outcomes with Lean East and prepare the agenda for a Scheduling Retreat on March 29, 2022. Key members of the Judicial Branch have already cleared their schedules for this retreat.

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Lean East expects to learn the project scope and measures of success at this planning meeting. As the Maine Judicial Branch has already scheduled some key meetings, we will use the Planning Meeting and time prior to the Scheduling Retreat to review the background data and case for change that will make the best use of everyone's time at the retreat.

Engagement Deliverables:

Lean East will be providing Lean Six Sigma Black Belt project improvement facilitation for the selected Maine Judicial Branch project teams and key stakeholders. Both projects will follow the proven Lean East improvement process utilizing Lean thinking, with differences in the timing since the Scheduling Retreat has already been scheduled.

Lean East President Steve Musica will complete the deliverables in this initial engagement for both projects. Additional support for administrative and data collection aspects of the project may be provided by Lean East Improvement Consultant Jennifer Ridley. Brief biographies for Steve and Jenny are included in the background section of this proposal.

Lean East will require access to data from the Maine Judicial Branch during this engagement. It is assumed that Lean East will be able to download reports or otherwise access data remotely – please inform us if this is not possible. All work in this engagement will be covered by the confidentiality terms at the end of this proposal.

During this engagement, Steve will coach the Maine Judicial Branch on how to utilize proven methods for managing and implementing operational improvements. A typical Lean East improvement process follows a Plan-Do-Check-Act (PDCA) cycle, with the planning phase

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broken into sections that lead the team through a proper assessment and problem-solving process. Lean East then utilizes simple, proven, Lean Six Sigma and project management tools to implement actions and measure the improvements.

The Lean East experts will train and coach the team so they learn and develop new skills. Key deliverables will include:

- Project chartering and an introduction to Lean principles for the project team
- Simple current and target state process diagrams (Value Stream Maps) and exposure to the tools and techniques to complete these easily
- Project planning and communication using A3 Methodology adapted and customized for the Maine Judicial Branch
- Training on proven problem-solving methods (based on the Plan-Do-Check-Act scientific method)
- Coaching on implementing the Project Plan and “Tests of Change” that the team believes will achieve the Target State
- Development of Standard Work and ongoing measurements to assure a sustainable system
- Project successes and next steps shared with key stakeholders, with measurable outcomes identified
- Off-site and phone/e-mail assistance in developing systems and standards; ongoing coaching and mentoring of specified personnel on technical and relational goals in support of the improvements

We typically work with the team to ensure that multiple initial improvements are achieved and action plans are in place for additional improvements. The goal is for every improvement team member to participate in the process and experience a successful project. Each step of the improvement process seeks to answer the key questions identified in the table that follows:

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The  **Lean East™ A3 Improvement Process Steps**

<p><u>Background</u></p> <ul style="list-style-type: none"> • Why is this important? • Why should anyone care about this situation and be motivated to participate in improving?
<p><u>Current Condition</u></p> <ul style="list-style-type: none"> • How do things work today? • What is the problem? Be sure to provide baseline metrics. • What is or is not happening?
<p><u>Goal / Target Condition</u></p> <ul style="list-style-type: none"> • What outcomes are expected for what reasons? • What changes in metrics can be plausibly expected?
<p><u>Root Cause Analysis</u></p> <ul style="list-style-type: none"> • What is the root cause(s) of the problem? • Use a simple problem analysis tool to show cause-and-effect relationships.
<p><u>Countermeasures (Experiments)</u></p> <ul style="list-style-type: none"> • Proposed countermeasures (quick experiments) to address each candidate root cause. • Predicted results for each countermeasure.
<p><u>Target State (Vision)</u></p> <ul style="list-style-type: none"> • A diagram of the future state that illustrates how the new proposed process will work. • Note specific countermeasures and expected improvement.
<p><u>Confirmation (Results)</u></p> <ul style="list-style-type: none"> • Actual result of each countermeasure (experiment). • How does the system actually behave with the proposed countermeasures in place?
<p><u>Follow-up (Actions)</u></p> <ul style="list-style-type: none"> • What have we learned that does or does not improve the situation? • In the light of the learning, what should be done? • How should the way we work or our standards be adjusted to reflect what we learned? • What do we need to learn next?

Each of the steps above is a specific focus for the project, with the timing varying based upon the time available for project work by the team and the flexibility of the Lean East project facilitator. Lean East consultants are based in Maine and allow for a flexible schedule to best accommodate clients such as the Maine Judicial Branch. External consultants located outside the state demand higher charges to account for their travel time and typically facilitate projects in the smallest possible number of visits, or do not confirm that results are effective. Lean East will work with Chief Justice Valerie Stanfill or her designee(s) to create

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a project schedule that will allow for quick results while also allowing the project team members to complete their regular work responsibilities during the project.

Steve Musica and the Lean East team have completed many improvement projects for clients in state government like the Maine Judicial Branch. We are highly qualified at helping the Maine Judicial Branch collect and process background data, facilitate session(s) where we teach the process of improvement, engage members of the Maine Judicial Branch in the process, support improvements that improve the outcomes, and measure the results.

Lean East often remains engaged with our clients to support their continued improvement. You are encouraged to read about some engagements with clients in the recommendations section that follows. If you have any questions about our experience or process, we encourage you to reach out to us or speak with any of our happy clients.

Timing:

Steve will work with the Maine Judicial Branch to create project schedules that will allow for quick results while also allowing the team time to complete their regular work responsibilities during the project.

Both of these proposed projects with the Maine Judicial Branch are expected to last from 8-12 weeks in total. Much of the effort is typically completed in the first four weeks of each project, with the remaining time used to support implementation, coach the team through implementation challenges and unplanned obstacles, and measure the results.

Lean East expects the first project in this engagement to begin on March 14, 2022. With this schedule, Steve currently has availability in his schedule for these projects.

Proposal: Maine Judicial Branch Process Improvement**Cost Proposal:**

A summary of the proposed cost for each project in the engagement is below. These costs are based on previously approved scopes of work and costs for improvement projects we have completed for other departments of the Maine State government.

BRIEF DESCRIPTION	TIMING	COST
Lump-sum cost for experienced Leader, Coach, and Lean Six Sigma Black Belt Steve Musica to support Scheduling Process Improvements that Reduce Court Wait Times and Improve Services for the Maine Judicial Branch. Follows the scope, schedule, and timing discussed above and includes support as needed from Improvement Consultant Jennifer Ridley, travel expenses and other expenses in this proposal, and overhead costs.	Kick-off sessions in March, 2022	\$20,000

Payment Schedule:

The lump sum cost for each project in this engagement will be invoiced as follows:

- \$5,000 at the start of each project
- \$5,000 after each of the first and second months of each project
- \$5,000 at the end of each project in the engagement

All invoices are sent via email with NET30 terms unless otherwise arranged.

Summary: This proposal is made subject to the terms and conditions included herein and represent services which Lean East believes will best meet Chief Justice Valerie Stanfill and her teams' objectives. Lean East expects this initial engagement will be the start of a long-term relationship.

Lean East and our team members have successfully facilitated many business improvement engagements with state governmental organizations and believe the proposed pricing represents an accurate representation of work required as understood from our conversations. Our State of Maine vendor code is VC0000216699.

Please learn more about the Lean East philosophy, recent projects, references, and selected team members in the sections that follow. We are pleased to discuss and adjust all aspects of this proposal for improvement services to arrive at an engagement that meets the needs of the Maine Judicial Branch. Lean East is invested in the long-term success of our clients and stands behind our work.

Proposal: Maine Judicial Branch Process Improvement

Background:

Lean improvement principles are currently being used worldwide to improve quality and adaptability, improve delivery and turn-around times, and reduce costs and waste. Lean is *not* about layoffs or running the organization on a shoestring. Lean is a management *strategy* that focuses on continually improving the processes that deliver *value* to the customer by identifying and eliminating waste.

A Lean culture differs from a traditional culture in many ways:

Traditional Culture	Lean Culture
Function Silos	Interdisciplinary teams
Managers direct	Managers teach/enable
Benchmark to justify not improving: “just as good”	Seek the ultimate performance, the absence of waste
Blame people	Root cause analysis
Rewards: individual	Rewards: group sharing
Supplier is enemy	Supplier is ally
Guard information	Share information
Volume lowers cost	Removing waste lowers cost
Internal focus	Customer focus
Expert driven	Process driven

Source: A.P. Byrne, O.J. Fiume

Lean East consists of experienced leaders and Lean experts offering strategic consulting, training and coaching to help organizations implement Lean improvements that improve customer outcomes and reduce costs. We have trained and coached senior leaders and employees in a variety of industries to teach them how to apply performance improvement methodologies and improve processes. Lean East has had numerous successful process improvement engagements with governmental organizations in New England.

Our improvement projects typically have a high return on investment for the organization and provide increased value to customers and staff by reducing overburden, inconsistency and operational wastes. We focus on achieving measurable results.

Goals of Lean East include:

- Maximize value to the customer by maximizing the value of employees
- Teach continuous improvement tools and coach employees to apply them during team-based operational improvement projects for the organization
- Establish new habits leading to each and every employee looking for ways to improve the value they add to their customer

Proposal: Maine Judicial Branch Process Improvement**Recent Lean East Projects:**

- Sales and production process improvements and improved metrics for a \$10 million building construction contractor seeking to grow and expand the business. Revenues increased by 25% while profits nearly tripled.
- Multi-year, Lean transformation strategy and implementation for State DHHS Office, with Lean Six Sigma project support resulting in multiple quality and cost improvements
- Ordering process improvements for an OEM parts manufacturer resulting in simple KPIs, faster throughput time, increased quality and reduced process inefficiencies.
- Improvement support for Statewide Aquaculture Lease application process to accommodate growth, address constraints, improve efficiencies, and reduce time
- Hospital surgical services performance improvement through waste reduction and workflow balance saving an estimated \$750,000 in the first two years
- Developed concept of operations for aligning Lean Six Sigma efforts between NAVSEA Headquarters, Supervisor of Shipbuilding and private shipbuilders
- Reduction in transcription service costs with annual savings of over \$200,000
- Quality improvement training and coaching for state public health department project teams to support statewide health improvement plan (six-month contract with renewal)
- Hospital supply chain improvements: general surgery and pharmacy material stocking and replenishment processes to reduce labor and material wastes
- Courier services project with quality improvements and 45% cost savings
- Laboratory process improvements to improve quality and reduce wastes and costs
- Process improvement for state Medicaid provider achieving a 35% increase in access
- Providing Lean Six Sigma Training and trade training curriculum development
- Multiple process improvement projects at a family-owned fuel supplier leading to a focus on customer service and cultural change
- Project management process improvement support for a health insurance provider to improve project outcomes with an estimate \$30 million in benefits to the company
- Improvement support projects as part of a larger “Good to Great” initiative at a 250-employee construction company
- Introduced Lean to medical device manufacturer for +70% revenue with <10% staff increase, quality +33% in first year, on-time delivery from 70% to 95%, lead time halved
- Improved sales and service processes and added key performance metrics for family-owned retail business. Financial performance in 2021 was their best ever!

Proposal: Maine Judicial Branch Process Improvement**Lean East References for the Proposal:****Doug Smith**

Chief Operating Officer (previously, now with Androscoggin Savings Bank)
State of Maine DHHS, Office of MaineCare Services
242 State Street, Augusta, ME 04333
Phone: 803-237-4611 Email: doug_s2211@yahoo.com

Project Summary: Lean organizational excellence transformation support including organizational assessment, strategic planning, training, coaching, project facilitation, and leadership development services. Supported multiple Lean improvement projects and helped over 20 separate teams identify balanced metrics and set improvement objectives.

Project Timeline: 9/2016 to 2018

Client Testimonial: “We chose the lean six sigma experts at Lean East (LE) to engage our employees in improving the operational processes that support our MaineCare providers and members, resulting in more streamlined and efficient work processes. LE also provided a lean approach to helping us implement our strategic plan for organizational excellence, focusing on creating a more satisfied and effective workforce. Our team was excited to take a new approach that will help improve the way they work and manage employees. We also leveraged Steve and team to develop strong Key Performance Indicators to measure, monitor, and manage our performance in various business areas. These indicators will help us focus on delivering more value to Maine.”

Kim Scott, Owner and Managing Partner

Basham & Scott, 14 Maine St. Suite 413, Brunswick, ME 04011
Phone: (207) 449-1409 Email: kscott@bashamscott.com

Project Summary: Lean East began an engagement with the Basham & Scott team by conducting a business assessment and supporting a 4-day strategic planning session following the steps in the Lean East PERFORMANCE™ process. The Basham & Scott team rehired Lean East to support continuous improvement projects in three areas of the business and support organizational restructuring and development improvements (including job descriptions) for the company. At the time of this testimonial, our team is in discussions with ownership to facilitate additional improvement projects, provide My Leadership Journey™ training for key leaders, and support the creation of dashboards to help ownership and the leadership team measure what matters.

Project Timeline: 7/2020 to Present

Client Testimonial: “Basham & Scott is a growing firm with large national clients that needed strategic planning and operational improvement support. We chose the Lean East team to facilitate a multi-day strategic planning session that determined our priorities. Steve and the team are now helping us review and improve our processes and develop new leaders. We have already seen an improvement in how we use our data, measure the process, and engage our team so they understand their objectives. I highly recommend Lean East for growing businesses.”

Proposal: Maine Judicial Branch Process Improvement**William Kilbreth**

Chief Information Officer
Community Health Options
240 Bates Street, PO Box 1121, Lewiston, ME 04240
Phone: 207-402-3354 Email: wkilbreth@healthoptions.org

Project Summary: Project management process improvement support for the Health Options Project Management Office (PMO). Lean East worked with the PMO team and executive management to support several key internal projects and implement an action plan to improve project outcomes for the company. Health Options estimates the improved process will result in a \$30 million benefit.

Project Timeline: 5/2018 to 10/2018

Client Testimonial: “Lean East provided valuable guidance to our organization in making project management more successful. We’ve achieved tangible improvements in communication, prioritization, and project initiation due to the disciplined and thoughtful approach Steve modeled. Community Health Options operates in a competitive and regulatorily challenging environment and having the stronger project methods Lean East helped us develop will enable us to continue to succeed in this market.”

Laura Holmes, MPA, CPM

Office of Quality Assurance and Improvement
Bureau of Quality Management, NH Department of Health and Human Services
129 Pleasant Street, Concord, NH 03301-3852
Phone: 603-271-9091 Email: Laura.Holmes@dhhs.state.nh.us

Project Summary: Trainers/coaches for a hands-on, learn-by-doing, “Quality Improvement 101” training program that taught participants how to use basic QI techniques and tools to improve real work processes and achieve improved results. Increased the ability of staff to understand, select and use QI methods and tools to continuously improve their daily work; facilitated QI projects across the Division; and built the capacity of the Department to support and sustain a quality-driven culture.

Project Timeline: 7/2014 to 7/2015

Client Testimonial: “Steve was a trainer and coach for the NH DPHS QI 101 training sessions in 2014 and again in 2015. The training and projects were well received and resulted in improved confidence in the team members’ ability to use improvement tools and dive into process improvement. We even had the DPHS management team participate in the second session. I was particularly impressed with Steve’s ability to quickly understand the context of each team’s problem area, help them drill down to specific improvement projects, and provide guidance to each team as they progressed through their unique improvement journey.”

Proposal: Maine Judicial Branch Process Improvement**Biographies for Lean East Team Members:**

Steve Musica is a Founder and the President of Lean East. He consults on improvement efforts that improve customer value while reducing costs. Steve has previous management and operational experience as President, CEO, COO, and VP of Operations for medical and technology companies and led successful Lean transformations for both medical device and manufacturing companies before founding Lean East in 2010. Steve learned Lean with some of the best in the world and now uses his knowledge and experience to help others transform their organizations.

Steve was previously VP and Director of Operations for medical device company FHC, Inc. where he was responsible for all aspects of operations internationally, including manufacturing, supply chain, quality control, customer service, information technology, and engineering. He led significant improvements in quality, delivery, and cost savings that resulted in documented efficiency gains allowing production teams to double their output with the same number of staff. Steve also has previous experience at Hypertherm, Inc. (a nationally recognized “Best Company to Work For” and leader in continuous improvement with a great employee culture) in operations management and manufacturing engineering, as well as International Paper in engineering, project management, and leadership positions. He has been an advisor or board member of several other organizations.

Steve has over twenty years of experience training operational best practices and instituting continuous improvement cultures that increase customer satisfaction and profitability and was certified by Dartmouth College as a Lean Six Sigma Black Belt. He earned a Bachelor of Science degree in Mechanical Engineering from the University of Maine with high distinction and high honors and a Masters in Engineering Management (MEM) degree from Dartmouth College.

Testimonials about Steve:

- "Steve has facilitated performance improvement teams for departments including Surgical Services, Diagnostic Imaging and the Pharmacy. He has helped us identify wastes and cut costs. He is a teacher and coach that uses a proven process for his projects and stresses that good things will happen when you put the patient first. We have asked Steve to support our performance improvement efforts and Triple Aim initiatives in the coming months. I highly recommend Lean East and Steve for healthcare improvement."
- "Steve can work equally well with top management and workers on the floor."

Proposal: Maine Judicial Branch Process Improvement

- "Steve has a good nose for opportunity, is execution focused, and strikes a good balance of thoroughness and moving quickly."
 - "I have been here for two years but didn't know until now how this process works."
 - "Thanks for all of your help and support. Your expertise and facilitation skills helped it happen!"
 - "Steve assisted in the curriculum and certification testing for the Dartmouth Lean Six Sigma Program to get the program started."
 - "Steve is known as a leader who will take the time to make sure that the right questions are asked, that problems are pursued to root cause, and that each individual on the team has the right training, tools, and information to be as productive as possible."
-

Jennifer Ridley is an Improvement Consultant who believes that best-in-class organizations are built through a continuous commitment and care to the growth of their people. Jenny is an experienced leader and coach who has managed departments, participated in strategic planning sessions, and supported sales and marketing deliverables for multiple organizations.

Jenny transitioned from private education where she led Hebron Academy's enrollment, retention, and strategic initiatives as the Director of Admissions and Financial Aid. In her time at Hebron, she reorganized and redesigned the office resulting in improved process workflow, the incorporation of best practices, and a new team culture. Jenny was also previously a Manager of Sales and Marketing and Health Coach for Wellness Workdays. There, she supported company growth and strategic planning in her management role and engaged over 300 employees in one-on-one health coaching to deliver measurable improvements in the health profile of a contracted manufacturing company.

Jenny has nearly ten-years of experience as a coach, both in athletics and supporting organizations as a one-on-one personal health coach. She has earned her Master of Science degree from Bridgewater State College and a Bachelor of Science degree from the University of Vermont, where she was a four-year Varsity Women's Ice Hockey Team Member and two-year captain. Jenny enjoys spending her free time connecting with her family through sports and learning new things.

Testimonials about Jenny:

- "In my fifty years of working both for and with corporations and non-profits, I have seldom encountered anyone who better, and almost instinctively, exemplifies the

Proposal: Maine Judicial Branch Process Improvement

core tenets of *kaizen* than Jenny Ridley. A keen and insightful listener, she probes deeply to understand roadblocks to continuous improvement, and with a toolkit that, among other strengths, is blessed with a keen understanding of the nuances of organizational and interpersonal dynamics, has – in the major role on which we worked together – helped create substantial value and immensely productive change. I'd want her on any team I'm involved with!"

- “Jenny has some of the best organizational skills I have seen working in the area of education administration in my career in this area of over 20 years. She is prompt, thoughtful, detailed and forward thinking. Additionally, Jenny has the ability to see both the big picture needs of an organization while also attending to customer service in a way that is genuine and meaningful. She brings not only commitment and competency to the workplace, but also pride in purpose and will leave her colleagues and customers feeling heard, happy and cared for in the process. There is no question she elevates the reputation of whatever organization she is affiliated with.”

Proposal: Maine Judicial Branch Process Improvement

Terms and Conditions: Lean East strives for highly satisfied customers and believes in simple, straight forward contracts, invoices and terms. Lean East shall use its best efforts with respect to the provision of the services and shall make consultants available to fulfill the responsibilities under this agreement in accordance with the agreed upon timeframes for scheduling of meetings, deliverables and deadlines. Lean East represents and warrants that its employees, subcontractors or agent are qualified to perform the services. Any additional employees or subcontractors utilized by Lean East agree to follow the terms herein and are compensated by Lean East and not the State of Maine Judicial Branch (the Client). Lean East shall not engage and hire subagents or associates without Client prior approval.

Payment terms: Invoices are typically e-mailed as a PDF or mailed on a monthly basis as requested by Client. A portion of the project cost is invoiced and payable prior to the project start date while other payments are due within 30 days of the invoice date. Lean East reserves the right to charge interest at 1.5% per month on the unpaid and overdue balance. Any disputed charges should be discussed before payment and before payment terms expire.

Expenses: Lean East charges the current IRS mileage reimbursement rate for travel to and from the client location from the Lean East or subcontractor home office (unless this is included in the proposal pricing). There is no charge for any *time* spent traveling unless this has been agreed to in advance of a project. Only actual expenses will be invoiced monthly.

Insurance: Lean East employees are insured and a copy of the liability insurance policy may be made available to the client upon request. Lean East subcontractors (if applicable) are insured with their own liability policies.

Independent Contractor: The parties expressly intend and agree that Lean East is acting as an independent contractor of the Client. Lean East retains discretion, control and judgment in the manner and means of carrying out the Services. Lean East understands and agrees that neither Lean East nor anyone providing services through Lean East shall be entitled to any of the rights and privileges established for Client employees (if any), including, but not limited to, the following: retirement benefits, life insurance coverage, severance pay benefits, paid vacation and sick pay, overtime pay. Lean East further understands and agrees that Client will not pay or withhold from the compensation paid to Lean East pursuant to this Agreement any sums customarily paid or withheld for or on behalf of employees for income tax, unemployment insurance, social security, workers' compensation or any other withholding tax, insurance or payment pursuant to any law or governmental requirement, and all such payments as may be required by law are the sole responsibility of Lean East.

Authority: Lean East shall not have any power or authority to bind or commit Client in any manner whatsoever or to incur any costs or expenses on Client behalf without Client written authority to do so.

Non-solicitation: During the term of the Agreement and for 12 months following its termination or expiration, Client agrees not to hire or employ in any way any employee or subcontracted agent of Lean East who provided service under this Agreement without written permission from and compensation provided to Lean East.

Confidentiality: During the term of the Agreement and for two years following its termination or expiration, Lean East agrees to keep confidential all Proprietary Information of Client, and shall not release, use or disclose the Client's Proprietary Information, without the prior written consent of the

Proposal: Maine Judicial Branch Process Improvement

Client. Lean East may disclose the Proprietary Information only to those employees, agents, and subcontractors who have a legitimate business requirement to receive the Proprietary Information.

Intellectual Property Rights: Each party retains (and is not restricted in any way) with respect to all patent, copyright, trademark, and other intellectual property rights in the methodologies, methods of analysis, ideas, concepts, know-how, models, tools, techniques, skills, knowledge and experience owned or possessed by the party before the commencement of this Agreement, including without limitation, all systems, specifications, electronic files, documentation, and materials created, owned or licensed and used by the party in connection with the Services. Lean East provides rights for the Client to copy and distribute provided materials within the organization so long as citation and continued attribution be maintained in the materials as they are used and incorporated into Client Materials and Branding Messages.

Arbitration: In the event that either party gives written notice to the other party of the existence of any dispute or claim with respect to the terms of this Agreement, and if the parties shall be unable to resolve such dispute within thirty (30) days thereafter, then the parties agree to submit such dispute to binding arbitration with an arbitrator agreed upon by the parties hereto. If the parties are unable to agree upon an arbitrator then either party may petition a court of competent jurisdiction in Cumberland County, Maine for the appointment of an arbitrator in accordance with the Uniform Arbitration Act, 14 M.R.S.A. Section 5927 et seq., or any successor provision. Such arbitration shall be conducted pursuant to the Expedited Procedures of the Commercial Arbitration Rules of the American Arbitration Association, or such other procedures as may be mutually agreeable to the parties. Any determination made therein shall be final and binding on each and all the parties thereto and their successors and assigns; and judgment therein may be entered by any court of competent jurisdiction. Each party shall pay one-half of the costs of such arbitration. The arbitrator shall also determine the prevailing party for the purpose of awarding attorneys' fees hereunder.

Client agrees to the terms in this contract and agreement and warrants they are authorized to sign for the organization to be legally bound to these terms. Please clarify any additional terms as needed.

The parties hereto have duly executed this Agreement on the day and year below.

Lean East

State of Maine Judicial Branch

By: _____By: *Dennis A Corliss*
Dennis A Corliss (Mar 23, 2022 08:39 EDT)Date: March 11, 2022Date: March 23, 2022Name: Steve MusicaName: Dennis A CorlissTitle: PresidentTitle: Chief of Finance and Administration






lean east

Final Audit Report

2022-03-23

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