

## State of Maine Procurement Justification Form

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 website (Forms page) for additional instructions.

### PART I: OVERVIEW

Department Office/Division/Program:		DAFS, BHR, OWC			
Department Contract Administrator or Grant Coordinator:		Anna Ryerson, Director			
(If applicable) Department Reference #:					
Amount: (Contract/Amendment/Grant)		\$ 500,000.00	Advantage CT / RQS #:	20170130*2259	
CONTRACT	Proposed Start Date:	12/31/2019	Proposed End Date:	12/31/2021	
AMENDMENT	Original Start Date:	2/1/2017	Effective Date:	2/1/2017	
	Previous End Date:	12/31/2021	New End Date:	12/31/2021	
GRANT	Project Start Date:		Grant Start Date:		
	Project End Date:		Grant End Date:		
Vendor/Provider/Grantee Name, City, State:		Norman, Hanson & DeTroy Two Canal Plaza Portland, ME 04112-4600			
Brief Description of Goods/Services/Grant:		Legal Services for Self-Insured Workers' Compensation Program			

### PART II: JUSTIFICATION FOR VENDOR SELECTION

Mark an "X" before the justification(s) that applies to this request. (Check all that apply.)

	A. Competitive Process		G. Grant
X	B. Amendment		H. State Statute/Agency Directed
	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 INFORMATION

Please respond to ALL of the following:

1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.

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### PART III: SUPPLEMENTAL INFORMATION

The Bureau of Human Resources, Office of Workers' Compensation currently has a contract with Norman, Hanson & DeTroy for timeframe 2/1/2017 to 12/31/2021. Currently additional funds are necessary to get us to the end of this contract period 12/31/2021. It is estimated that an additional \$500,000.00 is needed. During this past FY our legal costs with NH&D exceeded \$300,000.00. This is a fee for service contract.

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

In December 2019 the Office of Workers' Compensation had 86 pending cases in active litigation with this firm. This firm has all case files on each active claim they are handling for our office including medical, personnel and witness records. This law firm is one of the best workers' compensation practices in the State. As a result, they have unique qualifications and expertise making them most suitable for this procurement.

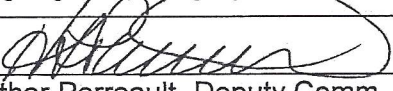
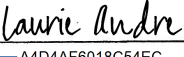
#### 3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

Our current contract with Norman, Hanson & DeTroy was established at \$140.00 per hour which is well below the going rate in Maine. Their rate has remained the same during this contract period which began on 2/1/2017.

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

The Attorney General's Office has approved this relationship with this firm along with two other private firms for the past thirteen (13) years. This contract expires on 12/31/2021 and when a sole source contract is no longer feasible, we will consider a request for proposals (RFP) process to establish a new contract.

### PART IV: APPROVALS

<b>Signature of requesting Department's Commissioner (or designee):</b>	<i>By signing below, I signify that I approve of this procurement request.</i>		
			
<b>Printed Name:</b>	Heather Perreault, Deputy Comm.	<b>Date:</b>	4/28/2020
<b>Signature of DAFS Procurement Official:</b>	DocuSigned by: 		
<b>Printed Name:</b>	A4D4AF6018C54EC... Laurie Andre	<b>Date:</b>	4/30/2020