

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:	Maine Health Data Organization		
Department Contract Administrator or Grant Coordinator:	Karynlee Harrington		
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$ 99,428.00	Advantage CT / RQS #:	20190927*1060
CONTRACT	Proposed Start Date:		Proposed End Date:
AMENDMENT	Original Start Date:	October 1, 2019	Effective Date:
	Previous End Date:	June 30, 2022	New End Date: June 30, 2023
GRANT	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:	Ten2Eleven Business Solutions, LLC		
Brief Description of Goods/Services/Grant:	Technical and industry expertise needed to support the analyses and development of the agency's annual prescription drug pricing transparency report as required by PL 2019, Ch. 470 and PL 2021, Ch. 305; and the new requirements in Public Law 2022, Chapter 606, <i>An Act to Reduce Prescription Drug Costs by Using International Pricing.</i>		

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
	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 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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The legislature and Governor continue to make the transparency of prescription drug pricing a priority and as such have passed several laws that require MHDO to produce annual reports that require ongoing analyses of prescription drug data from multiple sources that are complex and require a level of technical expertise and understanding of the industry that Ten2Eleven has. Ten2Eleven supported the development of the MHDO's first annual report as required under PL 2019, Ch. 470 and provided the same technical expertise to support the development of the second annual report as required under PL 2021 Ch.305. To maximize the value of these analyses and reporting, the second annual report built from the findings in the first reports and reflected several trends and changes in observations when compared to the first annual report. Because Ten2Eleven continued to support this work we were able to leverage our investment in creating the infrastructure for the first annual report, which is more efficient and produced a better product. In the second session of the 130th Legislature, the Legislature and Governor enacted Public Law 2022, Chapter 606 (LD 1636), *An Act to Reduce Prescription Drug Costs by Using International Pricing*. There are new requirements in this law that impact MHDO which Ten2Eleven is best positioned to support based on their existing prescription drug pricing transparency work with MHDO described above. Working together MHDO and Ten2Eleven will build off the work and infrastructure that has already been created so that compliance with the new requirements, including an aggressive timeline is possible (first annual report is due to the Legislature January 15, 2023).

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

Ten2Eleven Business Solutions, LLC has been working with MHDO since the enactment of PL 2019 Ch.470, and has supported MHDO in developing the first two annual legislative reports on Prescription Drug Pricing Transparency. Ten2Eleven has supported the agency with presenting our findings to the HCIFS legislative committee and to the Maine Prescription Drug Affordability Board. This organization has the experience (Ten2Eleven supports several states including California and their prescription drug transparency laws since CA enacted their laws), technical expertise and infrastructure (leverages the infrastructure that they have built to support other States) to continue to assist the MHDO in the collection and analysis of the prescription drug pricing data that MHDO collects from payers, manufacturers, wholesale distributors and pharmacy benefit managers. Ten2Eleven also has experience working with the Medispan database which is another critical prescription drug data set that MHDO relies on to comply with the various prescription drug pricing transparency laws.

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

Ten2Eleven Business Solutions, LLC has experience working with other State government entities; and now working with MHDO. They understand the limited resources that are available and as such have developed a pricing model for work that they do with state government. Ten2Eleven Business Solutions, hourly rate is competitive with the hourly rates of our data vendor which was a competitive bid.

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

In 2019, MHDO thought that after building the initial infrastructure to collect prescription drug pricing information; adopting a rule to govern the submission of this data; and developing and releasing our first prescription drug pricing transparency report as required in Public Law Chapter 470, we would develop and release an RFP for ongoing support. However, plans changed because of the pandemic; and the need for continuity in the ongoing technical support/subject matter expertise beyond what was originally envisioned to help support the questions and requests that surfaced because of the information in our first two annual reports; as well as reviewing the technical requirements in several legislative bills that had to do with the costs/pricing of prescription drugs in the state of Maine. MHDO is prepared to draft an RFP, however, as stated before, the subject matter expertise in this area is

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limited and it is more efficient and effective for MHDO, especially given our limited resources and the need for data/information to help inform better policy, to continue to build off the work that has already been invested into Ten2Eleven Business Solutions until such time that there are other options available to pursue.

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>		
	<i>Karynlee Harrington</i>		
Printed Name:	Karynlee Harrington	Date:	4/26/2022
Signature of DAFS Procurement Official:	<small>Digitally signed by</small> <i>Kathy Paquette</i> <small>41C2BA36FAF44ED...</small>		
Printed Name:	Kathy Paquette	Date:	5/25/2022