

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 Board of Dental Practice		
Department Contract Administrator or Grant Coordinator:		Penny Vaillancourt		
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)		\$ 10000.00	Advantage CT / RQS #:	02D 20210623000000003774
CONTRACT	Proposed Start Date:	07/01/2021	Proposed End Date:	06/30/2022
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:		F. Mark Terison, Esq. Falmouth, ME		
Brief Description of Goods/Services/Grant:		To serve as Presiding Officer in Adjudicatory matters pending before the Maine Board of Dental Practice pursuant to Title 5, Section 9062.		

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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PART III: SUPPLEMENTAL INFORMATION

The services provided by F. Mark Terison, Esquire are critical to the Maine Board of Dental Practice meeting its statutory obligation to adjudicate matters involving consumer complaints against licensed practitioners pursuant to its authorizing statute, 32 MRS, Chapter 143 and 5 MRS Section 9062. The Board has several cases that need to be scheduled immediately and requires an experienced vendor, who is familiar with serving as a presiding officer in adjudicatory matters involving licensed practitioners.

The scope of work requires that the vendor be uniquely qualified and experienced to conduct pre-hearing conferences, hear pre-hearing motions and render rulings with appropriate consultation with the Board. The vendor would preside over adjudicatory hearings, which includes ruling on the admissibility of evidence, administering oaths, rulings on motions, and regulate the course of the hearing. In an adjudicatory proceeding, the vendor also serves as the legal advisor on process matters. The vendor would be required to prepare a proposed decision and order, which reflects findings of fact and conclusions of law reach by the Board.

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

F. Mark Terison is uniquely qualified to serve in the capacity of a hearing officer presiding over adjudicatory matters related to professional licensing boards such as the Maine Board of Dental Practice. His education, experience and existing contract work with other state agencies set him apart. Specifically, Mr. Terison has extensive experience in litigation and currently teaches at the University of Maine Law School.

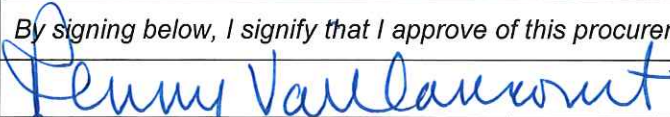
3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The Board has concluded that the cost of the services is fair and reasonable based on viewing other contracts for similar services.

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

The potential opportunity to foster competition in the future depends on the number of adjudicatory hearings to be scheduled.

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:	<i>Penny Vaillancourt</i>	Date:	<i>June 24, 2021</i>
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small> <i>Debbie Jacques</i>		
Printed Name:	<small>1DFA565D481F42E...</small> Debbie Jacques	Date:	6/25/2021

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