

State of Maine Procurement Justification Form

PART I: OVERVIEW

Department Office/Division/Program:		DHHS/OCFS/Lisa Salger		
Department Contract Administrator or Grant Coordinator:		Chris Moiles/Elizabeth Heath		
(If applicable) Department Reference #:		CBH-21-7001		
Amount: (Contract/Amendment/Grant)	\$ 16,560.00	Advantage CT / RQS #:	10A 20200323*2590	
CONTRACT	Proposed Start Date:	7/1/2020	Proposed End Date:	6/30/2022
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:		Family and Community Mediation Falmouth, Maine 04105		
Brief Description of Goods/Services/Grant:		Mediation Services		

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.

The Department of Health and Human Services' (DHHS) Office of MaineCare Services and Office of Child and Family Services oversee agencies providing behavioral health services to children and families. Agencies are expected, upon opening of a child's case for services, to inform parents and/or guardians of the grievance process. Parents and/or guardians may utilize the grievance process in the event that they feel their child's rights have been disrespected or violated. Under 34-B M.R.S.A. §1500 (<http://legislature.maine.gov/statutes/34-B/title34-Bsec15002.html>), the Department is required to provide grievance procedures which include an opportunity for the parent/guardian to first choose a mediation prior to requesting a full grievance hearing. Family and Community Mediation is the contractor selected by the Department to provide the opportunity for the mediation to take place prior to a full grievance hearing (when requested).

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PART III: SUPPLEMENTAL INFORMATION

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

Family and Community Mediation (FCM) is a recently formed Maine non-profit which came about as the result of the closing last year of two similar community mediation programs, one housed under Volunteers of America (VOA) and the other under The Opportunity Alliance (TOA). All of FCM's mediators are certified and are required to take additional subject matter training for areas in which they wish to mediate. FCM also provides, and requires their mediators to participate in, continuing education hours, role playing / practice opportunities, and coaching sessions as part of their best practices. Many of their mediators are attorneys and human resource professionals. Their practice is to staff each mediation with two mediators.

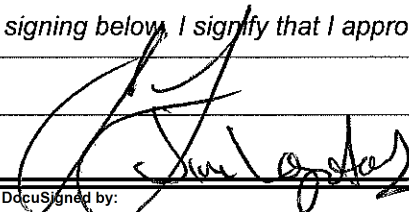

3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The cost is a flat rate and includes (but is not limited to): contacting the parties and setting up the mediation; at least 3 hours of mediation with two mediators; any travel required to complete the mediation; meeting a second time if a mediation resolution is not reached within the first 3 hours; and all documentation and reporting required by the Department. This works out to about \$230.00 per hour per mediator (\$1380 total cost/3 hours=\$460 per hour total, \$460/2 mediators=\$230 per hour per mediator). Research on costs of mediation revealed that mediation rates vary between \$200-\$800 per hour, which would equal between \$1,200-\$4,800 per mediation with 2 mediators for a minimum of 3 hours each. (please refer to the following websites: <https://www.thumbtack.com/p/cost-of-mediation>; <https://personalfinance.costhelper.com/mediator.html>; and https://law.freeadvice.com/litigation/mediation/mediation_cost.htm).

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

To date, Family and Community Mediation is the only provider in the State of Maine that provides this type of mediation service statewide. In the future, if additional mediation providers are established, the Department will seek services through competitive procurement.

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:	19-May-20
Signature of DAFS Procurement Official:	<small>Docusigned by:</small> 		
Printed Name:	<small>AEED9C7B3A8044E...</small> Justin Franzose	Date:	7/16/2020