

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:	Board of Dental Practice – Affiliated with the Department of Professional and Financial Regulation			
Department Contract Administrator or Grant Coordinator:	Penny Vaillancourt, Executive Director			
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 10,000	Advantage CT / RQS #:	02D 202007140*190	
CONTRACT	Proposed Start Date:	July 1, 2020	Proposed End Date:	June 30, 2021
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. 135 Field Road, Falmouth, ME 04105			
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.

The Board has coordinated with the Department of Professional and Financial Regulation to identify available resources to conduct adjudicatory hearings and appropriately staff the proceedings with an adjudicatory hearing officer. The Board is affiliated with the Department and shares a common mission of protecting the public against unethical and/or incompetent practitioners.

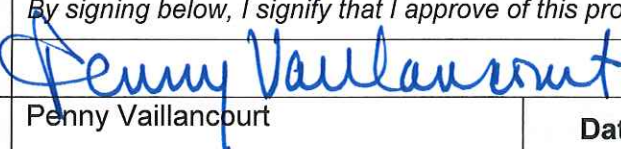
3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The Board has concluded that the cost of the services is fair and reasonable based on viewing other contracts for similar services. The Board also receives pre-approval from the Maine Office of the Attorney General to procure legal services outside of their office.

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

The Board will continue to coordinate with the Department of Professional and Financial Regulation the identification of individuals who are qualified to preside over adjudicatory hearings.

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:	Penny Vaillancourt	Date:	July 22, 2020
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small> <i>Debbie Jacques</i>		
Printed Name:	<small>1DFA565D481F42E...</small> Debbie Jacques	Date:	7/23/2020

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