



### PROCUREMENT JUSTIFICATION FORM (PJF)

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 intranet site (Forms page) for additional instructions.*

PART I: OVERVIEW				
Department Office/Division/Program:		DHHS/OBH/Complex Care/Kerry Polyot-Stefani & Sara Wade		
Department Contract Administrator or Grant Coordinator:		Althea Harris / Stacy Martin		
(If applicable) Department Reference #:		MH3-23-2018D		
Amount: (Contract/Amendment/Grant)		Amend D:\$ 53,079.10 Revised \$290,195.70	Advantage CT / RQS #:	CT 10A 20220815*479
CONTRACT	Proposed Start Date:		Proposed End Date:	
AMENDMENT	Original Start Date:	10/1/2022	Effective Date:	1/1/2024
	Previous End Date:	9/30/2023	New End Date:	9/30/2024
GRANT	Project Start Date:		Grant Start Date:	
	Project End Date:		Grant End Date:	
Vendor/Provider/Grantee Name, City, State:		VK Brewer LLC Brewer, ME		
Brief Description of Goods/Services/Grant:		Complex Care		

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Check the box below for the justification(s) that applies to this request. (Check all that apply.)			
<input type="checkbox"/>	A. Competitive Process	<input type="checkbox"/>	G. Grant
<input checked="" type="checkbox"/>	B. Amendment	<input type="checkbox"/>	H. State Statute/Agency Directed
<input checked="" type="checkbox"/>	C. Single Source/Unique Vendor	<input type="checkbox"/>	I. Federal Agency Directed
<input type="checkbox"/>	D. Proprietary/Copyright/Patents	<input type="checkbox"/>	J. Willing and Qualified
<input type="checkbox"/>	E. Emergency	<input type="checkbox"/>	K. Client Choice
<input type="checkbox"/>	F. University Cooperative Project	<input type="checkbox"/>	L. Other Authorization

Please respond to ALL of the questions in the following sections.

<b>PART III: SUPPLEMENTAL INFORMATION</b>	
<b>1.</b>	Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.
<p><b>The purpose of this amendment is to add funds and update the rate for one of the services effective 1/1/24.</b></p> <p>The purpose of this Agreement is to cover room, board, and staffing related costs associated with an empty bed. This is for a specific client who requires a single room occupancy arrangement at a nursing facility. The actual treatment costs for this individual will be reimbursed by MaineCare. This Agreement is necessary to ensure that the vendor has the resources and funding to allow the client to have their own room at the facility. Paragraph 93 of the Bates Consent Decree states that DHHS "shall fund, develop, recruit and support a variety of housing options, which can accommodate varying levels of supportive assistance to clients, according to client need."</p>	
<b>2.</b>	Provide a brief justification for the selected vendor to supplement the response in Part II. Reference the RFP number, if applicable.
<p>The Department has exhausted many resources and potential vendors. This is the only vendor able to admit this client due to the client's complex needs associated with care.</p>	
<b>3.</b>	Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.
<p>The rates were determined by calculating the costs associated with allowing the client to reside in a room without other residents. The rate covers costs are not reimbursable by MaineCare. Below is the calculation provided by MaineCare to establish the OBH portion.</p> <p>Year 1:                      \$139.59 per diem room and board rate for empty bed to be paid by OBH                      \$104.04 x 1.685 (average SFY2022 casemix) = \$175.31 per diem to be paid by OBH                      Total per diem rate=\$314.90</p> <p>New Year 2:                      \$144.05 per diem room and board rate for empty bed to be paid by OBH                      \$108.92 x 1.714 (average SFY2023 casemix) = \$186.69 per diem to be paid by OBH                      Total per diem rate=\$330.74</p>	
<b>4.</b>	Describe the plan for future competition for the goods or services.
<p>The plan is to discontinue this Agreement when the client is discharged into a PNMI facility/ Community Residence for Persons with Mental Illness. The Department does not plan to competitively procure these services.</p>	

<b>PART IV: AMERICAN RESCUE PLAN ACT (ARPA) / MAINE JOBS &amp; RECOVERY PLAN (MJRP)</b>	
Does this request utilize ARPA/MJRP funds?	
<input type="checkbox"/> Yes, MJRP funds (023) – If Yes, please attach the approved Business Case(s).	

<input type="checkbox"/> Yes, ARPA funds (025) – If Yes, please be aware of the requirements from awarding federal agencies.
<input checked="" type="checkbox"/> No – If No, proceed to Part V.

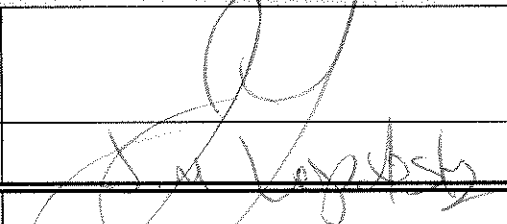
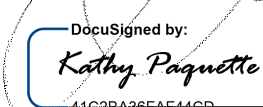
**PART V: CONFLICTS OF INTEREST (COI); CONTRACT WITH THE STATE**

Maine law contains Conflict of Interest statutes directed to State Departments, State Officers, and Employees Generally under MRS Title 5, §18 and §18-A, in harmony with MRS Title 17, §3104.

<input checked="" type="checkbox"/> The requesting department signatory understands and acknowledges Maine’s Conflict of Interest statutes.
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**PART VI: APPROVALS**

The signatures below indicate approval of this procurement request.

Signature of requesting Department’s Commissioner (or designee):		
Typed Name:		Date: 29-JUL-24
Signature of DAFS Procurement Official:		
Typed Name:	Kathy Paquette	Date: 8/7/2024