



PROCUREMENT JUSTIFICATION FORM (PJF)

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 submitted to the Office of State 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 Procurement Services intranet site (Forms page) for additional instructions.

PART I: OVERVIEW			
Department Office/Division/Program:	Office of the Public Advocate		
Department Contract Administrator or Grant Coordinator:	William S. Harwood, Public Advocate		
(If applicable) Department Reference #:	CONT'D SOLE-SOURCE CT ASSISTING WITH VARIOUS PROCEEDINGS AT PUC, FERC, ISO NE		
Amount: (Contract/Amendment/Grant)	\$ 45,000.00	Advantage CT / RQS #:	20230921000000000846
CONTRACT	Proposed Start Date:		Proposed End Date:
AMENDMENT	Original Start Date:	10/1/2023	Effective Date:
	Previous End Date:	9/30/2024	New End Date:
GRANT	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:	Mitchell M. Tannenbaum Portland, Maine		
Brief Description of Goods/Services/Grant:	Continued expert consulting services assisting OPA with various on-going proceedings before the PUC, FERC & ISO NE.		

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 checked="" 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.

PART III: SUPPLEMENTAL INFORMATION

1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.

To continue providing consulting services in assisting and advising OPA with the on-going utility regulatory matters in various Maine Public Utilities Commission (PUC) proceedings, Federal Energy Regulatory Commission (FERC) matters, and in ISO New England processes.

The Provider shall work closely with the OPA to identify specific needs as they relate to proceedings and processes. This may include, but is not limited to, performing technical review of filings, providing advice, and assisting in litigation in proceedings, making discovery requests and review discovery responses, and preparing comments/testimony.

2. Provide a brief justification for the selected vendor to supplement the response in Part II. Reference the RFP number, if applicable.

The selected vendor has unique experience reviewing and evaluating utility regulatory proceedings and matters. His extensive utility industry experience allows the Office of the Public Advocate to facilitate the necessary discovery, investigations, comments in various Public Utilities Commission proceedings and Federal Energy Regulatory Commission matters and ISO New England processes.

The OPA is authorized by statute ([35-A M.R.S. ch. 17 §1702, §1706](#)) to represent the interests of the ratepayers of Maine’s regulated utilities before state and federal agencies and courts; and may employ expert witnesses and pay appropriate compensation and expenses to employ the witnesses.

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

The vendor’s hourly rate compares favorably to other expert witness consultants that the Office has engaged in similar cases/matters.

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

The Office of the Public Advocate routinely puts contracts for expert consulting services for proceedings before the Maine PUC out to bid through the competitive RFP solicitation process.

PART IV: AMERICAN RESCUE PLAN ACT (ARPA) / MAINE JOBS & RECOVERY PLAN (MJRP)

Does this request utilize ARPA/MJRP funds?

Yes, MJRP funds (023) – If Yes, please attach the approved Business Case(s).

Yes, ARPA funds (025) – If Yes, please be aware of the requirements from awarding federal agencies.

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](#).

 The requesting department signatory understands and acknowledges Maine's Conflict of Interest statutes.

PART VI: APPROVALS

The signatures below indicate approval of this procurement request.

Signature of requesting Department's Commissioner (or designee):			
Typed Name:	William S. Harwood, Public Advocate	Date:	9/17/2024
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small>  <small>41C2BA36FAF44CD...</small>		
Typed Name:	Kathy Paquette	Date:	9/23/2024