



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

Table with 4 columns and 10 rows containing procurement details: Department Office/Division/Program (DHHS/OADS/DDS), Department Contract Administrator or Grant Coordinator (Althea Harris), (If applicable) Department Reference # (ADS-25-9721), Amount (\$397,097.00), Advantage CT / RQS # (CT 10A, 20240422000000002904), CONTRACT Proposed Start Date (7/1/2024) and Proposed End Date (6/30/2025), AMENDMENT Original Start Date, Previous End Date, Effective Date, New End Date, GRANT Project Start Date, Project End Date, Grant Start Date, Grant End Date, Vendor/Provider/Grantee Name (Elsevier, Inc., New York, New York), Brief Description of Goods/Services/Grant (Elsevier provides the platform called DirectCourse that houses Maine's College of Direct Support, the Direct Support Professionals on-line certificate program).

PART II: JUSTIFICATION FOR VENDOR SELECTION

Check the box below for the justification(s) that applies to this request. (Check all that apply.)

Table with 4 columns and 8 rows for justification options: A. Competitive Process, B. Amendment, C. Single Source/Unique Vendor (checked), D. Proprietary/Copyright/Patents, E. Emergency, F. University Cooperative Project, G. Grant, H. State Statute/Agency Directed, I. Federal Agency Directed, J. Willing and Qualified, K. Client Choice, L. Other Authorization.

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

<b>PART III: SUPPLEMENTAL INFORMATION</b>	
<b>1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.</b>	<p>The MaineCare Home and Community Based Waiver (Section 21), Community Supports Waiver (Section 29), Brain Injury Waiver (Section 18), and Other Related Conditions Waiver (Section 20) require Direct Support Professionals (DSP) to receive training and demonstrate proficiencies prior to providing direct support to individuals receiving services. The Section 21 and Section 29 Waivers specifically require that Direct Support Professionals complete the curriculum adopted by the Department, i.e., the Maine College of Direct Support, within six months of the date of hire to meet Medicaid health and safety standards. Currently, nearly 14,000 active learners are employed as DSPs or are working toward Direct Service Professional (DSP) certification. The system provides training for annual continuing education requirements for all learners as well.</p> <p>This Agreement provides access to the Maine College of Direct Support, a multimedia interactive on-line training curriculum developed by the Research and Training Center on Community Living at the University of Minnesota and the College of Direct Support Editorial Board, who ensure that every course for DSP training offers nationally recognized best practices. The Maine College of Direct Support program includes a Learning Management System online that allows administrators to track progress of those engaged in the program. The Department uses administrative access to monitor, manage, and review learners' DSP certification progress and completion.</p> <p>This Agreement also provides the Department of Labor a subscription to an e-learning curriculum entitled College of Employment Services, which is based upon the Curriculum Set authorized by the University of Mass-Boston Institute on Community Inclusion.</p>
<b>2. Provide a brief justification for the selected vendor to supplement the response in Part II. Reference the RFP number, if applicable.</b>	<p>The Provider is a national service, providing a full curriculum for training of Direct Support Professionals which includes basic training topics and a wide range of additional topics unique to Maine's workforce training needs. The Provider has been providing services reliably for over a decade, assuring the ability to track learners and training and maintain State compliance with federal CMS waiver requirements for workforce training. This curriculum is approved by the Centers for Medicare and Medicaid Services, the federal funding agent for Section 21 and Section 29 and the Maine Department of Health and Human Services. The Provider offers an extensive Learning Management System that enables the State to monitor compliance with training and certification requirements described in Section 21 and Section 29.</p> <p>DirectCourse's College of Employment Services (CES) curriculum follows competencies approved by the Association of Community Rehabilitation Educators (ACRE). CES has been a qualified vendor of this service to the State of Maine since 2017.</p>
<b>3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.</b>	<p>The cost is a subscription, based on 14,000 learners accessing the College of Direct Support. The Department determined that the cost is fair and reasonable by comparing to the anticipated cost associated with developing and offering a comparable program within the Department.</p>

**PART III: SUPPLEMENTAL INFORMATION**

The DirectCourse's College of Employment Services (CES) cost is a subscription for 100 learners per year. The Current market-rate pricing for a 100-Learner Annual Maximum is ~\$9,100 but Elsevier has agreed to the deeply discounted pricing of \$4,999 annually for the 2024 subscription term, inclusive of the 100-count Annual Learner maximum.

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

RFP# 202406113 is currently in the Department's review process with no specific timeline for release. This contract is being renewed for an additional year to allow time for that process to complete.

Currently the DHHS and DOL have executed a contract with UMass Boston, which was the result of a competitive bidding process seeking community employment services workforce training. DirectCourse's College of Employment Services (CES) content is designed to comply with Part I of ACRE training. Part II of ACRE training is provided by UMass Boston. This contract will help bridge the delivery of those services. In addition, Elsevier is providing an online platform which is not available through other vendors.

**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.

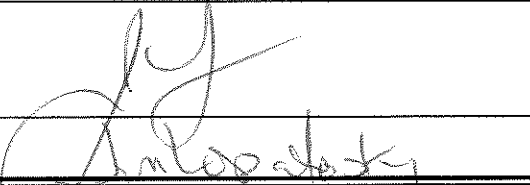

**PART V: CONFLICTS OF INTEREST (COI); CONTRACT WITH THE STATE**

*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:		Date:	6-Aug-24
Signature of DAFS Procurement Official:	DocuSigned by:  41C2BA36FAF44CD...		
Typed Name:	Kathy Paquette	Date:	9/26/2024