

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:		BRS/DOL		
Department Contract Administrator or Grant Coordinator:		Libby Stone-Sterling		
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 35,000	Advantage CT / RQS #:	2022*0509	
CONTRACT	Proposed Start Date:	05/01/2022	Proposed End Date:	04/30/2023
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:		Rebekah Smith, PO Box 912, Union, Maine 04862		
Brief Description of Goods/Services/Grant:		Respond, prepare, conduct and issue written decisions of Due Process hearings or mediations for DVR and DBVI applicants and clients statewide.		

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.**

State of Maine Procurement Justification Form

PART III: SUPPLEMENTAL INFORMATION

The purpose of this Contract is to provide mediation/due process hearing services to division of Vocational Rehabilitation applicants and clients.

The Provider shall respond, prepare, conduct and issue written decisions of Due Process Hearings or mediations for the Division of Vocational Rehabilitation and the Division for the Blind and Visually Impaired applicants and clients at locations Statewide as needed. These services will be charged at the rate of \$185 per hour. Services to start on 05/1/2022 and to end on 04/30/2023.

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

Federal and state Vocational Rehabilitation (VR) regulations require that agencies have qualified due process hearing officers available to respond to client appeals in a timely manner. It is difficult to attract individuals to work as hearing officers due to the specialized nature of the work as well as the infrequency and irregularity of requests.

The Division of Vocational Rehabilitation and the Division for the Blind and Visually Impaired have found that individuals who are qualified hearing officers for special education are well-placed to respond to be trained to respond to hearing requests through the two agencies.

Rebekah Smith is a high qualified hearing officer who serves as a due process hearing officer for special education and has received training and has effectively worked as a due process hearing officer for the Maine VR agencies.

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

Ms. Smith's costs reflect a standard rate that has also been approved for payment by the Maine Department of Education.

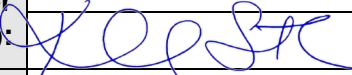
4. Describe the plan for future competition for the goods or services.

As noted above, the need for hearing officer services can be infrequent and this makes for a challenging competition. The agencies maintain low value contracts with other providers to allow for choice in the event of a conflict of interest or scheduling with Ms. Smith.

State of Maine Procurement Justification Form

PART III: SUPPLEMENTAL INFORMATION

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:	Kimberly Smith	Date:	9/23/2022
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small> <i>Kathy Paquette</i> <small>44C2BA38FAF44CD...</small>		
Printed Name:	Kathy Paquette	Date:	10/3/2022