



DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
DIVISION OF PROCUREMENT SERVICES
 STATE OF MAINE

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:		Human Resources Department	
Department Contract Administrator or Grant Coordinator:		Kelly John, Director of Human Resources	
(If applicable) Department Reference #:		N/A	
Amount: (Contract/Amendment/Grant)	\$ 12,252.00	Advantage CT / RQS #:	20231012*0604
CONTRACT	Proposed Start Date:	6/1/2023	Proposed End Date: 6/30/2023
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:		Linda McGill Freeport, ME	
Brief Description of Goods/Services/Grant:		Legal services associated with assisting the Judicial Branch with various labor related matters, including collective bargaining.	

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 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 checked="" 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.

The Judicial Branch has an ongoing need for legal representation for matters related to collective bargaining agreements and labor relations issues. The Attorney General's office provides legal representation for employment matters but does not have the expertise to provide legal guidance on employment law matters that intersect with labor relations (union) related matters and has approved use of outside counsel. When legal issues arise there is an immediate need for guidance from an attorney familiar with the Judicial Branch, its operations, and collective bargaining agreements.

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

The Judicial Branch has been working with Linda McGill for over 20 years (previously through the law firm of Bernstein Shur) and relies upon her legal expertise and prior knowledge of Judicial Branch operations, union contracts, and prior knowledge of union settlement agreements and labor relations strategy to consult on various types of labor matters. Linda McGill is now semi-retired and working on her own but has agreed to continue representing the Judicial Branch. Changing vendors would be extremely disruptive to operations and very costly to develop the knowledge of Judicial Branch specifics needed with a new attorney.

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

Linda McGill has provided representation to the Judicial Branch for over 20 years and is recognized as one of the top attorneys in the employment and labor field for the State of Maine. Ms. McGill has always charged the Judicial Branch a fair rate that is significantly lower than the going rate for an employment law attorney with her expertise and knowledge.

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

Linda McGill will continue to provide legal services to the Judicial Branch as needed.

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



Does this request utilize ARPA/MJRP funds?

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

No – If No, proceed to Part V.

PART V: APPROVALS

The signatures below indicate approval of this procurement request.

Signature of requesting Department's Commissioner (or designee):	DocuSigned by:  <small>0C1C795210D9463...</small>		
Typed Name:	Barbara Cardone	Date:	10/12/2023
Signature of DAFS Procurement Official:	DocuSigned by:  <small>41C2BA36FAF44CD...</small>		
Typed Name:	Kathy Paquette	Date:	10/31/2023