



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:	BRS/DOL		
Department Contract Administrator or Grant Coordinator:	Samantha Fenderson		
(If applicable) Department Reference #:	N/A		
Amount: (Contract/Amendment/Grant)	\$ 40,000	Advantage CT / RQS #:	20240918*0669
CONTRACT	Proposed Start Date:	10/1/2024	Proposed End Date: 9/30/2025
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			
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 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 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 10/1/2024 and to end on 9/30/2025.

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

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.

Click or tap here to enter text.

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.

Click or tap here to enter text.

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.

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).

<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.


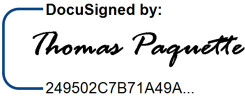
PART V: CONFLICTS OF INTEREST (COI); CONTRACT WITH THE STATE

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.

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:	Kimberly A. Smith Deputy Commissioner	Date:	10/25/2024
Signature of DAFS Procurement Official:	 <small>DocuSigned by: Thomas Paquette 249502C7B71A49A...</small>		
Typed Name:	Thomas Paquette	Date:	11/1/2024