

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:		Department of Education – Special Services		
Department Contract Administrator or Grant Coordinator:		Stacey Bean		
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 440,000.00	Advantage CT / RQS #:	CTMV 20210604*0018	
CONTRACT	Proposed Start Date:		Proposed End Date:	
AMENDMENT	Original Start Date:	07/01/2021	Effective Date:	11/22/2021
	Previous End Date:	06/30/2022	New End Date:	06/30/2022
GRANT	Project Start Date:		Grant Start Date:	
	Project End Date:		Grant End Date:	
Vendor/Provider/Grantee Name, City, State:		Various Vendors		
Brief Description of Goods/Services/Grant:		Due process mediations, hearing presiders and back-up complaint investigators, along with IEP facilitators.		

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
X	B. Amendment		H. State Statute/Agency Directed
	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	X	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.

Mediators, hearing officers and a back-up complaint investigator are needed to cover due process proceedings in disputes concerning the free and appropriate public education for students with disabilities. Qualified IEP facilitators are needed to lead successful IEP meetings. IEP facilitators are needed in several ways, including when there is a history of communication challenges or a meeting is expected to be particularly complex or controversial.

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PART III: SUPPLEMENTAL INFORMATION

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

In 2018, the Department worked with Procurement Services and the AG's Office to determine the best way to establish a pre-qualified vendor list. The Department posted a "Prequalification Notice" on its website with the set of qualifications, duties, rates, and how work will be distributed. This notice was posted until the list was created. Applicants that met the eligibility requirements were put on the prequalified list"

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



Specific amounts to be paid to DOE's many hearing officers, mediators and IEP facilitators cannot be estimated with accuracy. Due process expenses are dependent upon several factors: the number of disputes, location of disputes, the complexity of disputes and the willingness of parties to come to a resolution. These factors along with the timing of the disputes and the availability of mediators and presiders for each case renders the specific amounts needed for each mediator and hearing officer unpredictable. Complaint investigator services will be needed only when they cannot be provided for in-house. The IEP facilitators presence at IEP meetings are dependent upon members of the team, agreeing that their involvement is needed.

The DOE has researched the national data rates, and per CADRE these rates are comparable.

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

The Department is currently working on an RFP for future services.

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:	Daniel A. Chuhta	Date:	12/9/2021
Signature of DAFS Procurement Official:	<small>Digitally Signed by</small>  <small>4162BA36FAF446D...</small>		
Printed Name:	Kathy Paquette	Date:	12/29/2021