

**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:		DHHS / Office of Health Insurance Marketplace	
Department Contract Administrator or Grant Coordinator:		Althea Harris / Stacy Martin	
(If applicable) Department Reference #:		HIM-23-0201B	
Amount: (Contract/Amendment/Grant)		Amend: \$120,000.00 New Amt: \$240,00.00	Advantage CT / RQS #: CT 10A 20230216*2123
CONTRACT	Proposed Start Date:		Proposed End Date:
AMENDMENT	Original Start Date:	2/1/2023	Effective Date:
	Previous End Date:	8/31/2023	New End Date:
GRANT	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:		Berry Dunn McNeil & Parker DBA Berry Dun Portland, ME	
Brief Description of Goods/Services/Grant:		Audit of the State Based Marketplace	

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 checked="" 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 Amendment is to extend the contract end date and add funds for the completion of programmatic and financial audits for state fiscal year 2023.

The original agreement is to secure financial and programmatic auditing resources required for the annual audit of the Maine Health Insurance Marketplace (Marketplace). Section 1313(a)(1) of the ACA requires an Exchange (Marketplace) to keep an accurate accounting of all activities, receipts, and expenditures and annually submit to the Secretary a report concerning such accounting. Section 155.1200 of Title 45 of the Code of Federal Regulations, finalized in the Program Integrity Rule II, 78 F.R. 65046 (October 30, 2013) (PI Reg II), requires SBMs to monitor and report to HHS on Exchange-related activities, complete an annual report, and engage an independent qualified auditing entity to perform an annual independent external financial and programmatic audit to ensure each Marketplace is in compliance with CMS regulations and standards.

The Department is contracting an independent external auditor to perform an annual independent external programmatic and financial audit of the Exchange, that follows generally accepted governmental auditing standards (GAGAS) and submits the results to CMS as supporting documentation with the State-based Marketplace Annual Reporting Tool (SMART). This audit will be based on financial expenditures and programmatic operations from July 1, 2021 – June 30, 2022 (SFY 2022).

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

This vendor was selected because of their specific experience with the State of Maine financial operations, and their extensive experience performing programmatic and financial audits for 7 other State-based Marketplaces, meeting the requirements of CMS by utilizing the State-based Marketplace Audit Requirements Tool (SMART). The vendor was also selected because they are willing to meet the now extended due date set by CMS of August 15th, 2023. After which these services will be procured through the RFP process.

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

The cost was determined based on estimated hours to complete an audit given experiences with previous Marketplaces, and the hourly rate is consistent with the Office's prior experience with these services. The firm and costs are being sole sourced through the authority of the Comptroller's office to contract for audit services.

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

The Department is in the process to competitively procure these services (OHIM20231) with a contract start date of 7/1/2024.

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

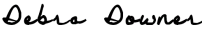

Does this request utilize ARPA/MJRP funds?

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:  5DC6307B8558482...		
Typed Name:	Debra Downer, Deputy Director for Competitive Procurement	Date:	Nov-09-2023
Signature of DAFS Procurement Official:	DocuSigned by:  41C2BA36FAF44CD...		
Typed Name:	kathy Paquette	Date:	12/4/2023