

MA 18P 13052900000000000282
MODIFICATION

State of Maine



Master Agreement

Effective Date: 05/30/13

Expiration Date: 05/31/22

Master Agreement Description: Test Kits & Reagents

Buyer Information

Justin Franzose	207-624-7337	ext.	justin.franzose@maine.gov
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Issuer Information

Scott Gosselin	207-624-7111	ext.	scott.a.gosselin@maine.gov
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Requestor Information

Scott Gosselin	207-624-7111	ext.	scott.a.gosselin@maine.gov
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Agreement Reporting Categories

Reason For Modification: Extension until 5/31/2022.

Authorized Departments

16A PUBLIC SAFETY

Vendor Information

Vendor Line #: 1

Vendor ID

VC1000073918

Vendor Name

PROMEGA CORP

Alias/DBA

Vendor Address Information

PO BOX 689768

CHICAGO, IL 60695-9768

US

Vendor Contact Information

Diana Nagy
1-800-356-9526 ext. 2616
diana.nagy@promega.com

Commodity Information

Vendor Line #: 1
Vendor Name: PROMEGA CORP
Commodity Line #: 1
Commodity Code: 19389
Commodity Description: Test Kits & Reagents
Commodity Specifications: Current price quote #81703
See Attached:
- Product List & Information
- Main Terms & Conditions

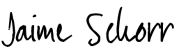
Commodity Extended Description:

Quantity	UOM	Unit Price
0.00000		0.000000
Delivery Days	Free On Board	
3		
Contract Amount	Service Start Date	Service End Date
0.00		
Catalog Name	Discount	
Test Kits & Reagents	0.0000 %	
	Discount Start Date	Discount End Date
	05/30/13	05/31/22

Please see authorized signatures displayed on the next page

Each signatory below represents that the person has the requisite authority to enter into this Contract.
The parties sign and cause this Contract to be executed.

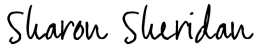
State of Maine - Department of Administrative and Financial Services

DocuSigned by:
 4/27/2021
6D6437754DD0459

Signature Date

Jaime C. Schorr, Chief Procurement Officer

Vendor

DocuSigned by:
 4/27/2021
55968CF4824348F

Signature Date

Sharon Sheridan Director, GI

Print Representative Name and Title

Confidential Quote 164437-0



Start Date: 6/1/2021
Expiration Date: 5/31/2022
Revision: 0
Currency: US Dollar

MAINE STATE POLICE

David Muniec
 26 Hospital Street
 Maine State Police
 Augusta, ME 04333
 USA
 Phone: +1 (207) 624-7131
 Email: david.s.muniec@maine.gov

Promega Corporation

Danielle Brownell
 E-mail: Danielle.Brownell@promega.com
 Phone: +1 608 274 1181 ext. 1658

We are pleased to submit the following quotation. If you have any questions, please contact the representative listed.

Item #	Product Description	UOM	Customer Price
DC1001	Plexor(R) HY System, 200 rxn	EA	\$938.60
DC1500	Plexor(R) Calibration Kit, Set A	EA	\$153.90
DD7251	2800M Control DNA, 0.25ng/ul, 500ul	EA	\$81.70
DM1231	5X AmpSolution(TM) Reagent, 500ul	EA	\$75.33
DC2402	PowerPlex(R) Fusion System, 200rxn	EA	\$4,455.63
DC2408	PowerPlex(R) Fusion System, 800rxn	EA	\$16,805.10
DC2305	PowerPlex(R) Y23 System, 50rxn	EA	\$1,745.61
DC2320	PowerPlex(R) Y23 System, 200rxn	EA	\$6,605.79
G1471	Human Genomic DNA: Male, 100ug	EA	\$177.65
G1521	Human Genomic DNA: Female, 100ug	EA	\$177.65
PQ5002	PowerQuant(R) System, 200rxn	EA	\$929.07
DS1221	PowerQuant(R) Calibration Kit	EA	\$250.17
DG5201	WEN Internal Lane Standard 500 Y23, 200ul	EA	\$669.60
DG5001	WEN Internal Lane Standard 500, 200ul	EA	\$682.62
DG4850	PowerPlex(R) 5C Matrix Standard, 5 preps	EA	\$162.75
DD3021	PowerQuant(R) Male gDNA Standard, 50ng/uL	EA	\$187.86
V3151	DTT, 5g (Dithiothreitol)	EA	\$85.50
V6551	Sodium Dodecyl Sulfate Solution, 100ml	EA	\$39.90
AS8101	CW Spin Baskets, 50/pk	EA	\$46.50
V4745	ClickFit Microtube, 1.5ml, 100/pack, Forensic Grade	EA	\$33.48
DC4561	Casework Direct System, 10ml	EA	\$232.50
DC4560	Casework Direct System, 100ml	EA	\$2,155.74
DM6571	Stabilizer Reagent	EA	\$0.00
PQ5008	PowerQuant(R) System, 800rxn	EA	\$3,467.04

Please visit www.promega.com/ordersupport for delivery information

Delivery Statement: 1-3 days ARO for Kits; 1-3 weeks ARO for instrumentation.

Confidential Quote 164437-0



Start Date: 6/1/2021
Expiration Date: 5/31/2022
Revision: 0
Currency: US Dollar

one lot number per product

DM6571 (Stabilizer reagent) to be shipped FOC along with any DC2305 or DC2320 order

All prices and specifications are subject to change without prior notice. Discount percent will remain applicable through the expiration date of this quote. Terms are subject to credit approval.

All orders of products made pursuant to this quotation shall be subject to Promega's standard Terms and Conditions as set forth on its website at <http://www.promega.com/legal/terms-and-conditions>.

Confidential Quote 164437-0



Start Date: 6/1/2021
Expiration Date: 5/31/2022
Revision: 0
Currency: US Dollar

Ordering Information / Terms and Conditions

Quotation 164437, Revision 0 must be referenced when placing this order.

All prices and specifications are subject to change without notice. Discount percentage will remain applicable through the expiration date of this quote. Terms are subject to credit approval.

For questions regarding this quote, please contact the representative listed on this quote.

Payment Terms: Net due in 30 days.

Customer Service Ordering Info

Phone: (800) 356-9526

Fax: (800) 356-1970

See Terms and Conditions for Additional Information

Purchase Order - If you select to bill to your company or institution using a purchase order, you will need to provide the purchase order number during the checkout process. To expedite checkout, you may create and save a default purchase order for multiple orders.

Credit Card - We accept Visa, MasterCard and American Express. If you select to pay by credit card, we will ask you for the account number, expiration date and name on the card.

Invoicing Your Order - Your invoice will be sent to the billing address. Payment terms are listed above.

Delivery Schedule - Orders requiring wet or dry ice are shipped via overnight express service. If your order contains only ambient temperature items, second-day service may be selected. Overnight orders are shipped according to the following schedule:

- Monday -Thursday: All orders received by 5:00 p.m. Central Time are delivered the following morning.
- Friday: All orders received by 5:00 p.m. Central Time are delivered the following Monday morning.
- We do not ship on these US holidays: Memorial Day; Independence Day (4th of July); Labor Day; Thanksgiving; Christmas; New Year's Day.

Want Free Shipping?

Learn more about the Promega Free Shipping Program at <https://www.promega.com/support/shipping-schedule-and-rates/>. Additional freight charges may apply for selected instruments. Please contact Promega Customer Service for more information.

Corporate Responsibility

For over 35 years, Promega has embraced the values of social and environmental responsibility. We are committed to providing value to our customers, our communities and our natural environment. Visit <http://www.promega.com/responsibility> to learn more.

VENDOR CUSTOMER CODE	SUPPLIER PART NUMBER	SUPPLIER NAME	COMMODITY CODE	ITEM DESCRIPTION	EXTENDED DESCRIPTION	UNIT OF MEASURE	LIST PRICE	DELIVERY DAYS
VC1000073918	DC1001	Promega	19389	Plexor HY, 200 reactions	N/A	EA	\$938.60	3
VC1000073918	DC1500	Promega	19389	Plexor Calibration Kit, Set A	N/A	EA	\$153.90	3
VC1000073918	DD7251	Promega	19389	2800M Control DNA, 0.25ng/ul, 500ul	N/A	EA	\$81.70	3
VC1000073918	DM1231	Promega	19389	5X AmpSolution, 500ul	N/A	EA	\$75.33	3
VC1000073918	DC2402	Promega	19389	PowerPlex Fusion, 200 reactions	N/A	EA	\$4,455.63	3
VC1000073918	DC2408	Promega	19389	PowerPlex Fusion, 800 reactions	N/A	EA	\$16,805.10	3
VC1000073918	DC2305	Promega	19389	PowerPlex Y23 System, 50 reactions	N/A	EA	\$1,745.61	3
VC1000073918	DC2320	Promega	19389	PowerPlex Y23 System, 200 reactions	N/A	EA	\$6,605.79	3
VC1000073918	G1471	Promega	19389	Human Genomic DNA: Male	N/A	EA	\$177.65	3
VC1000073918	G1521	Promega	19389	Human Genomic DNA: Female	N/A	EA	\$177.65	3
VC1000073918	PQ5002	Promega	19389	Powerquant System 200 Reactions	N/A	EA	\$929.07	3
VC1000073918	DS1221	Promega	19389	Powerquant Calibration Kit	N/A	EA	\$250.17	3
VC1000073918	DG5201	Promega	19389	WEN ILS for Y23	N/A	EA	\$669.60	3
VC1000073918	DG5001	Promega	19389	WEN ILS (internal lane standard)	N/A	EA	\$682.62	3
VC1000073918	DG4850	Promega	19389	5C Matrix Standard	N/A	EA	\$162.75	3
VC1000073918	DD3021	Promega	19389	Powerquant Male gDNA Standard	N/A	EA	\$187.86	3
VC1000073918	V3151	Promega	19389	Dithiothreitol (DTT), Molecular Grade	Molecular Grade, Dry Powder, 5 gram bottle	EA	\$85.50	3
VC1000073918	V6551	Promega	19389	Sodium Dodecyl Sulfate (SDS) Solution	Molecular Biology Grade (10% w/v), 100 ml bottle	EA	\$39.90	3
VC1000073918	AS8101	Promega	19389	CW Spin Baskets, 50/pk	N/A	EA	\$46.50	3
VC1000073918	V4745	Promega	19389	ClickFit Microtube, 1.5ml, 100/pack, Forensic Grade	N/A	EA	\$33.48	3
VC1000073918	DC4561	Promega	19389	Casework Direct System, 10ml	N/A	EA	\$232.50	3
VC1000073918	DC4560	Promega	19389	Casework Direct System, 100ml	N/A	EA	\$2,155.74	3
VC1000073918	DM6571	Promega	19389	Stabilizer Reagent	N/A	EA	\$0.00	3
VC1000073918	PQ5008	Promega	19389	PowerQuant(R) System, 800rxn	N/A	EA	\$3,467.04	3

Bureau of Business Management – Division of Procurement Services
State of Maine – Department of Administrative and Financial Services
9 State House Station
Augusta, Maine 04333-0009

Contract Number
MA 130529*282

Tel. (207) 624-7340
Fax.# (207) 287-6578

EXTENSION OF ANNUAL CONTRACT

Commodity Item: Test Kits & Reagents,

Contractor: Promega Corp

Contract Period Extended To: 05/31/19

* **New Lower Pricing:** *They are offering the same pricing for the next contract period, not lower pricing*

Extension Clause: The State reserves the right to extend this contract for a period of one year, with the consent of the contractor.

Agreement to Extend Contract:

In accordance with the above referenced Extension Clause, the undersigned agrees to continue in effect said Contract No # MA 130529*282 through May. 31, 2019 with all terms, conditions remaining as shown in the original contract.

Quarterly Report: The Division of Purchases **requires a quarterly report of sales** be faxed to 207-287-6578 within 30 days of the end of each calendar quarter. It will be the responsibility of the vendor to produce a quarterly report. The report must include the dollar value of goods purchased, broken down by Department as well as the total dollar value of purchases made by all Departments.

By: (Print Name) SHARON SHERIDAN

By: (Signature) *Sharon Sheridan*

E-mail Address: diana.nagy@promega.com

Date: 6/7/2018

Dollar value the State has spent on this contract from 05/30/17 to present: \$ 108,984.00
through 6/7/18 (today)

* *All terms, conditions & pricing remain the same.*

EXTENSION OF ANNUAL CONTRACT

Commodity Item: Test Kits and Reagents

Contractor: Promega Corp

Contract Period Extended To: 5/31/2020

Extension Clause: The State reserves the right to extend this contract for a period of one year, with the consent of the contractor.

Agreement to Extend Contract:

In accordance with the above referenced Extension Clause, the undersigned agrees to continue in effect said Contract # MA 13052900000000000282 until May 31, 2020 with all terms, conditions remaining as shown in the original contract.

Copy of which is acknowledged on this date.

Contractor: Promega Corporation

By: *Sharon Shender*

E-mail Address: *diana.nagy@promega.com*

Date: \$127,981.15 as of 5/14/2019

Dollar value the State has spent on this contract from 5/31/2018 to present:

EXTENSION OF ANNUAL CONTRACT

Commodity Item: Test Kits & Reagents

Contractor: Promega

Contract Period Extended To: 5/31/2021

Extension Clause: The State reserves the right to extend this contract for a period of one year, with the consent of the contractor.

Agreement to Extend Contract:

In accordance with the above referenced Extension Clause, the undersigned agrees to continue in effect said Contract # **MA 13052900000000000282** until **May 31st, 2021** with all terms, conditions remaining as shown in the original contract.

Copy of which is acknowledged on this date.

Contractor: Promega Corporation

By: Sharon Sheridan

E-mail Address: diana.nagy@promega.com

Date: June 9, 2020

Dollar value the State has spent on this contract from 5/31/2019 to present:
\$155, 120.75

EXTENSION OF ANNUAL CONTRACT

Commodity Item: Test Kits & Reagents

Contractor: Promega

Contract Period Extended To: 5/31/2022

Extension Clause: The State reserves the right to extend this contract for a period of one year, with the consent of the contractor.

Agreement to Extend Contract:

In accordance with the above referenced Extension Clause, the undersigned agrees to continue in effect said Contract # MA 13052900000000000282 until May 31st, 2022 with all terms, conditions remaining as shown in the original contract.

Copy of which is acknowledged on this date.

Contractor: Promega Corporation

By: *Sharon C. Sheridan* Sharon C. Sheridan, Director, Genetic Identity

E-mail Address: Rachel.frieders@promega.com

Date: April 26, 2021

**Dollar value the State has spent on this contract from 5/31/2020 to present:
\$59,202.65**

State of Maine Waiver of Competitive Bidding Request Form

Form Instructions: Please provide the requested information in the white boxes below. This form is to precede all contract requests that are not the direct result of a competitive bid process.

Requesting Department's Contract Administrator:	David Muniec	Office/Division/Program of Contract Administrator:	DPS Crime Lab		
Est. Contract Amount:	Master Agreement	Contract or RQS Number:	MA-13052900000000000282		
Proposed Start Date:	Ongoing	Proposed End Date:	Until Equipment is Replaced		
Vendor/Provider Name, City, State	PROMEGA CORP PO BOX 689768 CHICAGO. IL 60695				
Short Description of Good or Service:	DNA Test Kits & Reagents				
Please note, for transparency purposes, Waivers of Competitive Bidding will be publicly posted. Public postings are placed on the Division of Purchases' website for a period of seven consecutive calendar days.		To be completed by the Division of Purchases Posting dates on Division of Purchases' website: From: 05/04/2017 To: 05/10/2017			
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0520170539			
1. Statutory Justification State of Maine statute (5 M.R.S. §1825-B(2)) allows waivers of competitive bidding only for the specific reasons listed below. Please mark the appropriate box (X) next to the justification which applies to this specific request.					
<input type="checkbox"/>	A. The procurement of goods or services by the State for county commissioners pursuant to Title 30-A, section 124, involves the expenditure of \$2,500 or less, and the interests of the State would best be served;				
<input type="checkbox"/>	B. The Director of the Bureau of General Services is authorized by the Governor, or the Governor's designee, to make purchases without competitive bidding because, in the opinion of the Governor or the Governor's designee, an emergency exists that requires the immediate procurement of goods or services;				
<i>If citing the above justification for this Waiver of Competitive Bidding request, please have the requesting Department's Commissioner or Chief Executive (as the Governor's "designee") sign and date on the right.</i>		<i>By signing below, I signify as the Governor's designee there is an emergency that necessitates this non-competitive procurement.</i> Signature: <table style="width: 100%;"> <tr> <td style="width: 50%;">Printed Name:</td> <td style="width: 50%;">Date:</td> </tr> </table>		Printed Name:	Date:
Printed Name:	Date:				
<input checked="" type="checkbox"/>	C. After reasonable investigation by the Director of the Bureau of General Services, it appears that any required unit or item of supply, or brand of that unit or item, is procurable by the State from only one source;				
<input type="checkbox"/>	D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;				
<input type="checkbox"/>	E. The purchase is part of a cooperative project between the State and the University of Maine System, the Maine Community College System, the Maine Maritime Academy, or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State involving: (1) An activity assisting a state agency and enhancing the ability of the university system, community college system, Maine Maritime Academy, or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State to fulfill its mission of teaching, research, and public service; (2) A sharing of project responsibilities and, when appropriate, costs;				
<i>If citing the above justification for this sole source request, please note that the specific approval of the Governor's Office is required, in accordance with Executive Order 26 FY 11/12, "An Order to Enhance Competitive Bidding". The approval must be documented on DAFS/BGS/Division of Purchases "GOVCOOP" form, found here: http://www.maine.gov/purchases/info/forms/govcoop.doc.</i>					
<input type="checkbox"/>	F. The procurement of goods or services involves expenditures of \$10,000 or less, in which case the Director of the Bureau of General Services may accept oral proposals or bids;				
<input type="checkbox"/>	G. The procurement of goods or services involves expenditures of \$10,000 or less, and procurement from a single source is the most economical, effective and appropriate means of fulfilling a demonstrated need.				
<input type="checkbox"/>	If a different authorization specifically allows for this non-competitive procurement, please provide that reference here:				

State of Maine Waiver of Competitive Bidding Request Form

Please note that the following four points below (#2 through 5) all require a response.

2. Description of Specific Need

Please identify, and fully describe, the specific problem, requirement, or need the resulting non-competitive contract would address and which makes the goods or services necessary. Explain how the requesting Department determined that the goods or services are critical and/or essential to agency responsibilities or operations.

Promega is the manufacturer and vendor of proprietary kits and reagents that we use to generate forensic DNA profiles in case work and database work at the Maine State Police Crime Lab. These specific systems have been tested and validated by the Crime Lab for this purpose and cannot be switched with other DNA profiling systems.

Promega does provide a discount for these items based on how many items we use in a given period.

3. Availability of other Public Resources

Please explain how the requesting Department concluded that sufficient staffing, resources, or expertise is not available within the State of Maine's government, or other governmental entities (local, other state, or federal agencies) external to the requesting Department, which would be able to address the identified need more efficiently and effectively than the identified vendor.

N/A

4. Cost

Since a waiver of competitive bidding is being requested for this procurement, please explain how the requesting Department concluded the negotiated costs, fees, or rates are **fair and reasonable**.

In the past we've used DNA profiling systems from other manufacturers and the kits from Promega are priced similarly to those. The kits are quality control checked each time we receive a new batch of lot numbers, and they have consistently been of the highest quality.

5. Future Competition

Please describe potential opportunities which may be available to foster competition for these goods or services in the future.

When the lab equipment is in need of replacement, a RFQ/RFP will be appropriate

State of Maine Waiver of Competitive Bidding Request Form

Please note that only one of the two points below ("Uniqueness" or "Timeframe") requires a response. Requesting Departments are not required to respond to both points.

6. Uniqueness

Please explain if the goods or services required are unique to a specific vendor. Describe the unique qualifications, abilities, and/or expertise of the vendor and how those particular unique factors address the specific need identified above. If the vendor has unique equipment, facilities, or proprietary data, also explain the necessity of these particular unique assets.

These items are proprietary to the lab equipment in use and must be purchased from this vendor. These specific systems have been tested and validated by the Crime Lab for this purpose and cannot be switched with other DNA profiling systems.

The process of testing, validating, and training on a new kit for DNA profiling is a lengthy and expensive process. We are very careful about which kits we choose to validate, and the quality of the item and the reliability of the vendor are equally important. The quality of the products from Promega has been superior to the Life Technologies/Applied Biosystems DNA profiling kits we used to use.

7. Timeframe (Complete only if B. is the Statutory Justification marked on Page 1)

Please explain if time is of the essence and an emergency exists which requires the immediate procurement of goods or services. Describe the nature of this emergency, provide the date by which the goods or services must be delivered, and explain how that date was determined and its significance (i.e. impact if delayed beyond this date). Also, provide information as to how it was determined this vendor is the best option to address this time-sensitive procurement.

N/A

**Signature of requesting
Department's Commissioner
or Chief Executive
(or designee within the
Commissioner's Office):**

By signing below, I signify that my Department requests, and I approve of, this Waiver of Competitive Bidding.

Printed Name:

Date:

Janet Joyeux

Janet Joyeux

5-3-17