

State of Maine

Guidance for Completing Procurement Justification Form

PART I: OVERVIEW

- For Document Amount, enter the amount of the contract, amendment, or grant that applies to the procurement request.
- Complete other items in this section as indicated on the form.

PART II: JUSTIFICATION FOR VENDOR SELECTION

- A. AGENCIES: Use the table below to determine which justification to select in Part II. Select the one justification that is most applicable to the procurement request.

JUSTIFICATION		WHEN TO CHECK
A.	Competitive Process	The procurement has been competitively bid such as through a Request for Proposals (RFP), mini-bid from a Pre-Qualified Vendor List (PQVL) or obtaining quotes (\$10,000 or less). Initial contract issued or allowable renewal.
B.	Amendment	Used when changing or modifying a service contract, including but not limited to: <ul style="list-style-type: none"> • Contract period • Contract amount • Scope of Work
C.	Single Source/Unique Vendor	Unique, only one source is able to provide the service.
D.	Proprietary/Copyright/Patents	The vendor/provider has proprietary rights associated with the goods or services, including copyrights or patents.
E.	Emergency	Used for departmental emergency/critical purchase. (M.R.S. Title 5, Chapter 155, §1825-B, 2., B.)
F.	University Cooperative Project	Any higher education entities with a main campus in the State of Maine (M.R.S. Title 5, Chapter 155, §1825-B, 2., E.)
G.	Grant	Used when the agency is awarded a grant that specifically names the provider/vendor as a grant partner or the provider/vendor was awarded a grant through a competitive process.
H.	State Statute/Agency Directed	Used when the agency is directed to contract with a specific provider according to State of Maine statute or by governing State body (i.e., Office of the Attorney General).
I.	Federal Agency Directed	Used when the agency is directed by a federal agency to contract with a specific provider.
J.	Willing and Qualified	Used for services that are being performed by multiple providers, so long as they meet the agencies qualifications and the providers are willing to provide services as outlined in a standard contract.
K.	Client Choice	Clients obtain services from a provider of their choice.
L.	Other Authorization	Any authorization not listed above.

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- B. **PROCUREMENT SERVICES:** Use the table below as a guideline for posting the document request on the Procurement Services website. The Director of the Division of Procurement Services will post any contract in question, at the director's discretion.

JUSTIFICATION		POST TO WEBSITE	NOTES
A.	Competitive Process	NO	
B.	Amendment	MAYBE	<p>DOES need to be posted if:</p> <ul style="list-style-type: none"> The amendment is extending the contract end date and a new RFP process is NOT underway. The amendment is changing the scope of work. <p>Does NOT need to be posted if:</p> <ul style="list-style-type: none"> The amendment is extending the contract end date with no change in the contract value. The amendment is extending the contract end date and a new RFP is in process. The amendment is increasing the contract value but not changing the scope of work. Allowable RFP renewal.
C.	Single Source/Unique Vendor	YES	<ul style="list-style-type: none"> Post to website for seven calendar days. Approve and encumber if no challenges.
D.	Proprietary/Copyright/Patents	NO	
E.	Emergency	YES	<ul style="list-style-type: none"> Post to website for seven calendar days. Approve and encumber funds immediately.
F.	University Cooperative Project	NO	
G.	Grant	NO	
H.	State Statute/Agency Directed	NO	
I.	Federal Agency Directed	NO	
J.	Willing and Qualified	YES	<ul style="list-style-type: none"> Will remain posted for duration of contract. Approve and encumber funds immediately.
K.	Client Choice	NO	
L.	Other Authorization	MAYBE	<ul style="list-style-type: none"> Make determination based on the type of "other authorization."

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PART III: SUPPLEMENTAL INFORMATION

1. Provide a more detailed description and need of the goods, services or grant to supplement the response in Part I.

Describe the specific need for the goods or services identified in Part I.

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

Examples:

- If the procurement is directed by State Statute, Federal/State Agency, or Other Authorization, provide the citation/reference.
- If the procurement is the result of a Request for Proposals (RFP), list RFP number; and indicate if this is the initial contract or a renewal.
- If the procurement is the result of a Cooperative RFP, did the RFP meet the following criteria:
 - Advertised in the *Kennebec Journal* for three consecutive days;
 - Cost is a minimum of 25% of the total evaluation criteria;
 - Follows all additional requirements identified in Chapter 110: Rules for Purchase of Services and Awards.
- If vendor is Willing and Qualified, describe those qualifications and identify who made this determination.
- If the procurement is a University Cooperative Project, explain how this purchase will enhance the ability of the higher education institution to further its teaching, research, and public service mission.
- If this is an Emergency, describe the nature of the emergency and explain how the vendor was determined to be the best option.
- If the vendor is Unique, explain the unique qualifications, abilities, and/or expertise to meet the procurement need.

3. Explain how the negotiated cost or rates are fair and reasonable or how the funding was allotted to grantee.

Provide a detailed explanation about the negotiated cost, rates or funding allocation.

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

Provide a time frame for the next opportunity to foster competition for these goods or services in the future. If there is not a plan for future competition, please explain why.

PART IV: APPROVALS

Governor/Department Commissioner or Designee

- If the justification selected in Part II is Emergency, the form must be signed by the Governor or the department's Commissioner.
- For all other justifications, the Commissioner or designee shall sign.

DAFS Procurement Official

- Procurement Services: Follow internal process.