

MODIFICATION

State of Maine



Master Agreement

Effective Date: 03/01/17

Expiration Date: 03/31/20

Master Agreement Description: Ammo - Master Agreement Lightfield LLR

Buyer Information

Sue Garcia 207-624-7338 ext. SUE.H.GARCIA@MAINE.GOV

Issuer Information

MARK S MCCARTHY 207-287-4389 ext. MARK.S.MCCARTHY@MAINE.GOV

Requestor Information

Mary Brochu 207-287-3237 ext. mary.l.brochu@maine.gov

Authorized Departments

03A CORRECTIONS

Vendor Information

Vendor Line #: 1

Vendor ID
VS0000016976

Vendor Name
Lightfield LLR
Alias/DBA
Lightfield LLR Corp

Vendor Address Information

PO Box 162

Adelphia, NJ 07710
US

Vendor Contact Information

Peter Saker
732-462-9200 ext.
lacsabot@optonline.net

Commodity Information

Vendor Line #: 1

Vendor Name: Lightfield LLR

Commodity Line #: 1

Commodity Code: 68004

Commodity Description: Ammunition, Lightfield - Extention

Commodity Specifications: MA is being extended - Corrections Ammunition

Commodity Extended Description: MA is being extended - Corrections Ammunition

Quantity

0.00000

UOM

Unit Price

\$0.00

Delivery Days

15

Free on Board

FOB Dest, Freight Prepaid

Contract Amount

\$0.00

Service Start Date

Service End Date

Catalog Name

Lightfield LLR Catalog 2017

Discount

0.0000 %

Discount Start Date

03/01/17

Discount End Date

03/31/20

Ammunition, Lightfield LLR
CORRECTIONAL FACILITY
TERMS & CONDITIONS
MA 170414-113

COMMODITY ITEM: Ammunition Lightfield Less Lethal, Sole Source supplier.

Sole Source: NOI# 0420170393 – NOI#0320190290 dated 3/12/19

CONTRACT PERIOD: April 1, 2017 thru March 31, 2020

EXTENSION OF CONTRACT: The Director of Procurement Services may, with the consent of the contractor extend the Contract period beyond the indicated expiration date.

CANCELLATION OF CONTRACT: The Division of Procurement Services reserves the right to cancel a contract with a thirty day written notice OR cancel immediately if the contractor does not conform to terms and conditions and specifications of contract.

BID PRICES: Prices shown are to be net including transportation charges fully pre-paid by the contractor FOB destination. Prices are to remain firm for the duration of the contract and will be revisited after the first year.

QUANTITIES: State wide Correctional Facilities contract, quantities/value is not known. It is understood and agreed that the contract will cover the **actual quantities** required by State Agency over the length of the contract.

DELIVERY: The Contractor will be responsible for the delivery of material in first class condition at the point of delivery, and in accordance with good commercial practice.

ORDERING PROCEDURE: Delivery orders (DO) will be created in AdvantageME for all orders over \$5000.00. If a DO is used the DO will be e-mailed to the email address set up in AdvantageME by the Vendor as a .pdf file. Orders less than \$5000.00 can be ordered using a P-Card.

PROCUREMENT CARD: State policy requires vendors to accept the State of Maine Procurement Card as a form of payment, with very rare exceptions. Your company will be required to accept these cards. The pricing offered to the State of Maine shall be the final cost to the State of Maine regardless of payment method. No surcharge or other compensation will be allowed. The State of Maine reserves the right to reject your bid if you are unwilling to accept this condition.

QUARTERLY REPORT: The Division of Procurement Services **requires a quarterly report of sales** be E-mailed to Sue.h.Garcia@maine.gov, 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. If possible include a list of PO, DO numbers or P-Card transactions.

State of Maine Waiver of Competitive Bidding Request Form (Formerly Sole Source Authorization 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:	Mark Clevette	Office/Division/Program of Contract Administrator:	Maine State Prison - SOG
Est. Contract Amount:	\$	Contract or RQS Number:	
Proposed Start Date:	04/01/19	Proposed End Date:	03/31/20
Vendor/Provider Name, City, State	Lightfield LLR Corp Adelphia, NJ		
Short Description of Good or Service:	Master Agreement for Ammunition for DOC Special Operations Group		
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: 3/6/2019 To: 3/12/2019	
Notice of Intent to Waive Competitive Bidding Number:		NOI# 0320190290	
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;		
<input type="checkbox"/>	<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:	
<input type="checkbox"/>	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;		
<input type="checkbox"/>	<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:		

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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.

The Department needs to replenish its supply of less than lethal ammunition for the annual Special Operations Group (SOG) re-qualification training. In order to be have a certified SOG team members have to requalify annually. The ammunition is also what the SOG teams use when they get deployed. It's very important to train on the same ammunition that is utilized when needed. Team members will know how their weapons react when fired.

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.

Not applicable – this is a commodity purchase.

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**.

The cost is \$22.00 per box –up slightly over the last two previous years' cost of \$21.00. The Department feels small increase is fair and reasonable.

5. Future Competition

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

This product is being purchased directly from the manufacturer.

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.

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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.

Lightfield manufactures and sells the requested less than lethal ammunition.

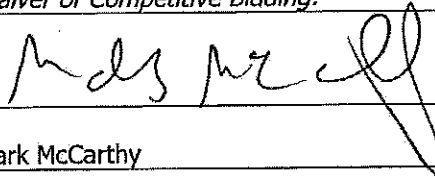
There are companies that re-sell the ammunition that Lightfield manufactures, but it makes sense to buy directly from the manufacturer when the opportunity exists to cut out the costs of the middle man re-sellers.

7. Timeframe

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.

**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:

Mark McCarthy

Date:

March 5, 2019

VENDOR CUSTOMER CODE	SUPPLIER PART NUMBER	SUPPLIER NAME	MANUFACTURER NAME	MANUFACTURER PART NUMBER	COMMODITY CODE	ITEM DESCRIPTION	EXTENDED DESCRIPTION	UNIT OF MEASURE	LIST PRICE	DELIVERY DAYS
VS0000016976	LFNB-12	Lightfield LLR	Lightfield LLR	LFNB-12	68004	Ammunition, NOVA-DR, 5/Box	5 Rounds per box	Box	\$22.00	15
VS0000016976	LSSR-12	Lightfield LLR	Lightfield LLR	LSSR-12	68004	Ammunition, SUPERSTAR, 5/Box	5 Rounds per box	Box	\$22.00	15
VS0000016976	LERS-12	Lightfield LLR	Lightfield LLR	LERS-12	68004	Ammunition, Ext. Range Slug, 5/Box	5 Rounds per box	Box	\$22.00	15
VS0000016976	LEMR-12	Lightfield LLR	Lightfield LLR	LEMR-12	68004	Ammunition, Mid Range Slug, 5/Box	5 Rounds per box	Box	\$22.00	15

Division of Purchases
Burton M Cross Bldg.
9 State House Station
Augusta, ME 04333-0009
Tel. (207) 624-7338
Fax.# (207) 287-6578

Contract Number
MA 170414*113

EXTENSION OF ANNUAL CONTRACT

Commodity Item: Law Enforcement - Ammo

Contractor: Lightfield LLR

Contract Period Extended To: 3/31/20

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 170414*113 until 3/31/20 with all terms, conditions remaining as shown in the original contract.

Copy of which is acknowledged on this date.

Contractor: LIGHTFIELD LLR CORPORATION

By: PETER J. SAKER, JR.

E-mail Address: lacsabot@optonline.net

Date: February 1, 2019

Dollar value the State has spent on this contract for the past 12 months: \$ 0.00

