

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.

PART I: OVERVIEW				
Department Office/Division/Program:		DHHS/Maine CDC		
Department Contract Administrator or Grant Coordinator:		Chris Moiles		
(If applicable) Department Reference #:		CD0-21-54SA25		
Amount: (Contract/Amendment/Grant)	\$ 10,155.60	Advantage CT / RQS #:	Draft RQS 10A 2021031600000000840	
CONTRACT	Proposed Start Date:	05/09/2021	Proposed End Date:	5/7/2022
AMENDMENT	Original Start Date:		Effective Date:	
	Previous End Date:		New End Date:	
GRANT	Project Start Date:		Grant Start Date:	
	Project End Date:		Grant End Date:	
Vendor/Provider/Grantee Name, City, State:		Life Technologies Corporation Carlsbad, CA 92008		
Brief Description of Goods/Services/Grant:		Service Agreement for ABI 7500FAST DX unit (S/N: 275031200) for 1 preventative maintenance and immediate response in resolving instrument problems and repairs. Please see Quote #40579597.		

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
	B. Amendment		H. State Statute/Agency Directed
X	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: COVID-19

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.

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PART III: SUPPLEMENTAL INFORMATION

HETL has multiple ABI 7500 Fast DX real-time PCR thermocyclers because these are used in day to day operations to determine the absence or presence of infectious diseases within a clinical specimen. Such infectious diseases include; Pertussis, Salmonella, STEC, Influenza, Eastern Equine Encephalitis, TB, measles, mumps, rubella, clostridium, anthrax, tularemia, varicella, and emerging infectious diseases like Zika virus and Chikungunya.

This equipment is currently being used for COVID-19 testing and the detection of SARS-CoV-2 virus in human diagnostic clinical samples. This directly impacts the amount of SARS-CoV-2 testing which HETL can conduct.

This is a 1-year service agreement as required under Federal (CLIA) Clinical Laboratory Improvement Amendments guidelines and provides 1 (one) planed annual preventative maintenance visit, instrument recalibration as required, priority email/phone technical support, and parts, labor, and travel for remedial repair.

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

Life Technologies (Original Equipment Manufacturer), a part of Thermo Fisher Scientific, is the only organization that provides services related for maintenance and repair of the 7500 FAST DX in accordance with the criteria specified in the attached "Services and Support advantages" letter. Only Thermo Fisher Scientific's personnel possess the requisite product knowledge and specialized training to provide such services. Thermo Fisher Scientific is the sole manufacturer of the instruments listed in the attached quotation and has not issued a letter of assurance nor provided a manufacturer's training certification to any third party (or its employees, subcontractors, or agents) for the servicing of its manufactured instruments. Thermo Fisher Scientific maintains intellectual property right to its data collection software and service tool software. Third-party resellers and service providers are strictly prohibited and unauthorized to access, use, or sell this software.

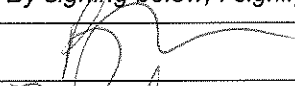
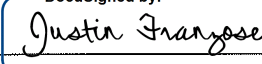
3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The laboratory has received a 40% discount on these systems due to its "not-for-profit laboratory" status and HETL is also a member of the Association of Public Health Laboratories (APHL). Without a service agreement, HETL may be considered out of regulatory compliance and would pay for repairs beyond cost of the service agreement. Further, the Department looked at available companies to provide these items; this organization was the only one that could support the Department's need. As such, the Department reviewed the pricing, which was deemed acceptable in light of the Governor's Civil State of Emergency.

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

The department does not intend to RFP this service at this time.

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:	Ben Mann	Date:	5/28/21
Signature of DAFS Procurement Official:	DocuSigned by: 		
Printed Name:	AEED9C7B3A8044E... Justin Franzose	Date:	5/28/2021