

State of Maine Procurement Justification Form

This form must accompany ALL contract requests and sole source requisitions 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 #:	CD0-20-54SA31			
Estimated Contract or Grant Amount:	\$ 9,672	Advantage CT / RQS #:		
AMENDMENT	Original Start Date:	05/09/2020	New Start Date:	05/08/2021
	Original End Date:		New End Date:	
GRANT	Project Start Date:		Grant Start Date:	
	Project End Date:		Grant End Date:	
ALL OTHER	Proposed Start Date:		Proposed End Date:	
Vendor/Provider/Grantee Name, City, State:	Life Technologies Corporation North American Sales and Services Attn: Service Contract Administration Mailstop: PLE C-1 5781 Van Allen Way Carisbad, CA 92008			
Brief Description of Goods/Services/Grant:	Service Agreement for 1 7500FAST DX Serial Number (275031200) for one year for 2 Operational Qualification/Instrument Performance Verification services, and 1 Planned Preventative Maintenance.			

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Mark an "X" before the justification(s) that applies to this request.			
	A. Competitive Process		G. Grant
	B. Amendment		H. State Statute/Agency Directed
	C. Single Source/Unique Vendor		I. Federal Agency Directed
X	D. Proprietary/Copyright/Patents		J. Willing and Qualified
X	E. Emergency		K. Client Choice
	F. University Cooperative Project	X	L. Other Authorization: COVID-19

PART III: SUPPLEMENTAL QUESTIONS
Please respond to ALL of the following questions.
1. Provide a more detailed description of the goods, services or grant to supplement the response in Part I.

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PART III: SUPPLEMENTAL QUESTIONS

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.

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.

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 is a 1-year service agreement that is required under Federal (CLIA) Clinical Laboratory Improvement Amendments guidelines and available only through Life Technologies. Service may only be performed by Life Technologies/Applied Biosystems qualified technicians.

This service contract provides 1 planned annual preventative maintenance visit, 2 Operational Qualification/Instrument Performance Verification visits, Instrument recalibration if required, and email/phone technical support.

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. Doing so strictly violates our intellectual property rights.

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.

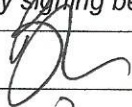
Further, the Department looked at available companies to provide these items; this organization was the only one that could support the Department's need. As such, the Department reviewed the pricing, which was deemed acceptable in light of the Governor's Civil State of Emergency.

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

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

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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:	<i>Ben Mann</i>	Date:	<i>6/1/20</i>
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small> <i>Justin Franzose</i>		
Printed Name:	<small>AEED9C7B3A8044E...</small> <i>Justin Franzose</i>	Date:	<i>6/1/2020</i>