



DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

## DIVISION OF PROCUREMENT SERVICES

STATE OF MAINE

## PROCUREMENT JUSTIFICATION FORM (PJF)

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. All responses (except signatures) must be typed; no hand-written forms will be accepted. See the guidance document posted with this form on the Division of Procurement Services intranet site (Forms page) for additional instructions.

PART I: OVERVIEW				
Department Office/Division/Program:		MaineDOT Property Office		
Department Contract Administrator or Grant Coordinator:		Nicholas Dutil		
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 9,559.25	Advantage CT / RQS #:	20230110000000000844	
CONTRACT	Proposed Start Date:	1/1/2023	Proposed End Date:	12/31/2023
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:		Certainty 3D, Orlando, FL		
Brief Description of Goods/Services/Grant:		TopoDOT Software Maintenance (License)		

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Check the box below for the justification(s) that applies to this request. (Check all that apply.)			
<input type="checkbox"/>	A. Competitive Process	<input type="checkbox"/>	G. Grant
<input type="checkbox"/>	B. Amendment	<input type="checkbox"/>	H. State Statute/Agency Directed
<input type="checkbox"/>	C. Single Source/Unique Vendor	<input type="checkbox"/>	I. Federal Agency Directed
<input checked="" type="checkbox"/>	D. Proprietary/Copyright/Patents	<input type="checkbox"/>	J. Willing and Qualified
<input type="checkbox"/>	E. Emergency	<input type="checkbox"/>	K. Client Choice
<input type="checkbox"/>	F. University Cooperative Project	<input type="checkbox"/>	L. Other Authorization



Please respond to ALL of the questions in the following sections.

### PART III: SUPPLEMENTAL INFORMATION

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

The Department procured this specialized software for extracting survey data from Lidar and photogrammetric generated point clouds. The Department requires the annual software maintenance and support to keep our software up to date and get vendor assistance as needed. The Department should not risk IT security exposure, data inaccuracy, or survey preparation delays due to using outdated and unsupported versions of this software.

2. Provide a brief justification for the selected vendor to supplement the response in Part II. Reference the RFP number, if applicable.

Only the vendor can provide maintenance, support, and updates for this proprietary software. Failure to keep this software updated may make it incompatible with future versions of our CADD software.

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

The software was evaluated for fair and reasonable cost when acquired. The invoice is for annual software maintenance and support fees based upon the number of user days. The 2022 rate as established by Certainty 3D is \$18.25/user day. Each user who logs onto the software creates one user day. For 2022, the number of user days totaled 509, at \$18.25/user day, plus an additional \$30/user day overage charge for each day over 500 (9 days), totaling \$9559.25. The reason for the overage charge is that we hold a 500-day annual license. Any days beyond 500 days used has an overage fee applied – something we accounted for going into this, though this is the first year that we encountered usage beyond 500 days. (For record, this number is up from 386 user days in 2021 – a 32% increase in software usage from the previous year)

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

As use of Lidar and photogrammetry-based point cloud increases, we will continue to evaluate TopoDOT software to ensure that it continues to meet our needs at a fair and reasonable price. To date, no other version of software on the market works with our surveying hardware and CADD software platforms as well as TopoDOT does or at the price point being offered.

### PART IV: AMERICAN RESCUE PLAN ACT (ARPA) / MAINE JOBS & RECOVERY PLAN (MJRP)

Does this request utilize ARPA/MJRP funds?

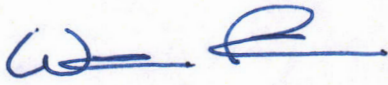
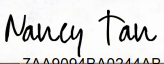
☐ Yes – If Yes, please attach the approved Business Case(s).

☒ No – If No, proceed to Part V.



**PART V: APPROVALS**

The signatures below indicate approval of this procurement request.

Signature of requesting Department's Commissioner (or designee):			
Typed Name:	William Pulver, C.O.O.	Date:	1-5-2023
Signature of DAFS Procurement Official:	 <small>DocuSigned by 7AA9094BA0244AB...</small>		
Typed Name:	Nancy Tan, Deputy Director of IT Procurement	Date:	Jan-27-2023