



## 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:	Maine Public Utilities Commission		
Department Contract Administrator or Grant Coordinator:	Derek Davidson		
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$ 21,800.00	Advantage CT / RQS #:	<a href="#">2024012600000001042</a>
<b>CONTRACT</b>	Proposed Start Date:	1/31/2024	Proposed End Date: 5/31/2024
<b>AMENDMENT</b>	Original Start Date:		Effective Date:
	Previous End Date:		New End Date:
<b>GRANT</b>	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:	New England Committee of Managing Underground Safety Training (MUST)		
Brief Description of Goods/Services/Grant:	MUST will provide six separate training sessions across Maine about how to reduce and prevent damage incidents involving underground facilities. The training covers safe work practices around underground facilities, compliant excavation site and underground facility markings, the design of various underground facilities and the risks involved when proper damage prevention steps are not taken.		

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 checked="" type="checkbox"/>	C. Single Source/Unique Vendor	<input type="checkbox"/>	I. Federal Agency Directed
<input 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
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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.

Pursuant to 23 M.R.S.A. §3360-A, "Protection of Underground Facilities," the Maine Public Utilities Commission (MPUC) is responsible for enforcing Maine's Damage Prevention Program. Education and Public Awareness Programs are an integral part of the program. The safety training seminars are designed to reduce and prevent damage incidents involving underground facilities and ensure the safety of residents, utility and excavator personnel, and protect property located near the facilities, thus contributing to the overall MPUC goal of ensuring safe and adequate utility service.

The MPUC, with the Managing Underground Safety Training – Regional NE (MUST) group, has been providing this training for excavators and underground operators for many years. From 2005 to 2009, the PUC organized, sponsored, and staffed annual training events, held at several locations throughout the state during March and April. In 2010, the MUST organization agreed to take on the commitment of arranging and organizing the training and the PUC continued to financially support the training using funds that the Damage Prevention program has collected in administrative penalties. Organizing the training programs requires a considerable amount of staff time to prepare training materials, arrange for speakers/trainers, manage registrations, and arrange meeting space and food for the events. The PUC has determined that the responsibility for organizing, designing and hosting the training events can no longer be performed by the agency.

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

The MUST group is uniquely qualified and situated to provide this service. Their mission is "to promote underground facility safety through training efforts in cooperation with Dig Safe, underground facility owners, private locating companies, municipalities, excavators and regulatory agencies, and to continually evaluate the New England one-call laws and underground safety best practices." Because MUST was involved with designing the training and is comprised of industry experts (both utility personnel and excavators), it was most efficient to shift responsibilities for providing the training to MUST. This arrangement has worked very well in past years; therefore, we propose the same arrangement for 2024.

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

Because the PUC has provided the funding for these training programs in the past, we are uniquely qualified to determine the reasonable cost of providing the training. In the past, the PUC has provided the funds for the vendors, as well as staff time, to arrange the seminars. Thus, the PUC is keenly aware of the cost of providing this type of training.

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

**PART III: SUPPLEMENTAL INFORMATION**

As discussed above, the MUST group is uniquely qualified and situated to provide this service. There is no other similar entity in Maine or New England. Thus, I do not believe there will be future opportunities to foster competition in this area of expertise.

**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:	Harry Laughen	Date:	2/4/24
Signature of DAFS Procurement Official:	DocuSigned by: 		
Typed Name:	Justin Francoise	Date:	1/29/2024