

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. 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 website (Forms page) for additional instructions.

PART I: OVERVIEW				
Department Office/Division/Program:	MAINEDOT PROPERTY OFFICE PROJECT DEVELOPMENT			
Department Contract Administrator or Grant Coordinator:	NICHOLAS DUTIL			
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 5670.00	Advantage CT / RQS #:	17A202002120000000917	
CONTRACT	Proposed Start Date:	12/16/2018	Proposed End Date:	12/15/2019
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 LLC, ORLANDO FL			
Brief Description of Goods/Services/Grant:	TOPODOT SOFTWARE MAINTENANCE			

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
	C. Single Source/Unique Vendor		I. Federal Agency Directed
X	D. Proprietary/Copyright/Patents		J. Willing and Qualified
	E. Emergency		K. Client Choice
	F. University Cooperative Project		L. Other Authorization

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.
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 IN ORDER TO KEEP IT UP-TO-DATE AND TO GET VENDOR ASSISTANCE WHEN NEEDED. THE DEPARTMENT SHOULD NOT RISK "IT" SECURITY EXPOSURE, DATE INACCURACY, OR SURVEY PREPARATION DELAYS DUE TO USING OUTDATED VERSIONS OF THE SOFTWARE.

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PART III: SUPPLEMENTAL INFORMATION

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

ONLY THE VENDOR CAN PROVIDE MAINTENACE AND SUPPORT FOR THIS PROPRIETARY SOFTWARE. ALSO REFER TO #1.

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

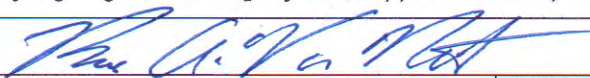

THIS SOFTWARE WAS EVALUATED FOR FAIR AND REASONABLE COST WHEN OUR LICENSE WAS INITIALLY ACQUIRED IN SPRING OF 2015. THIS INVOICE IS NOT BILLING FOR THE LICENSE FEE, WHICH WAS PAID NEARLY 5 YEARS AGO, BUT RATHER REPRESENTS THE DAILY MAINTENANCE COST (RATE ESTABLISHED BY CERTAINTY 3D), MULTIPLIED BY THE NUMBER OF USER DAYS (DAYS SAID SOFTWARE WAS ACCESSED BY EACH INDIVIDUAL USER). FOR EXAMPLE, IF TWO USERS ACCESS THIS SOFTWARE ON THE SAME DAY, THAT IS TWO USER DAYS USED. THE 2019 DAILY MAINTENANCE COST WAS \$15.75/USER DAY, WITH 360 DAYS OF OUR LICENSE USED. (360 X \$15.75)

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

AS USE OF LIDAR AND PHOTO PRINT CLOUDS CONTINUES, WE WILL CONTINUE TO EVALUATE THE TOPODOT SOFTWARE TO ENSURE THAT IT CONTINUES TO MEET OUR NEEDS AT A FAIR AND REASONABLE PRICE.

THIS IS A PROPRIETARY VENDOR. SO ONLY VENDOR WHO CAN PROVIDE MAINTENANCE AND SUPPORT.

PART IV: APPROVALS

Signature of requesting Department's Commissioner (or designee):	By signing below, I signify that I approve of this procurement request.		
			
Printed Name:	Bruce A. Van Note	Date:	2-13-2020
Signature of DAFS Procurement Official:	DocuSigned by: 		
Printed Name:	AEED9C7B3A8044E... Justin Franzose	Date:	2/28/2020