



## 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:	Department of Environmental Protection/DEA/Invasive aquatic Species Program			
Department Contract Administrator or Grant Coordinator:	Denise Blanchette			
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$9,717.70 (amendment)	Advantage CT / RQS	06A 20200611*3888	
CONTRACT	Proposed Start Date:		Proposed End Date:	
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:	<b>The Cabrazzard Group (DBA) New England Milfol</b>			
Brief Description of Goods/Services/Grant:	Mechanical control of invasive Aquatic Plants where local capacity has not yet been developed.			

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

*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 Maine Department of Environmental Protection (DEP) is charged by the Legislature (38 MRSA §1862 and §1872, among other statutes) with conducting programs designed to reduce the spread of invasive aquatic plants. The legislation requires a variety of functions as part of program operations. It is within the scope of DEP's Invasive Aquatic Species Program (IASP) to evaluate, manage and prevent further spread of newly discovered invasive aquatic plants. DEP is also charged with oversight of the State of Maine rapid response plan to new invasive aquatic plant infestations.

In 2019 two new invasive aquatic plant infestations (Upper Kennebec River, Hinckley, ME *P. crispus*, *M. heterophyllum*, Big Lake, Princeton ME *M. heterophyllum*) were in areas with no active local groups. In addition *P. crispus* is known to only be in two other locations in the state. The discovery of *M. heterophyllum* in Washington county marks the first known infestation in this region of the state. Big lake is also part of large connected system that will pose a great risk of spread through the area. Surveys revealed significant areas of plant growth and DEP staff rapid response does not have the capacity to remove plants to prevent possible spread. In addition to threatening other areas of the waterbodies, each new infestation poses a significant risk of spreading downstream to other areas of the watershed system.

This contract concerns the manual removal using a diver-assisted suction harvester (DASH), technology which DEP does not possess. DASH can remove a large volume of plants when divers remove plants by hand and feed the plants into a suction hose that carries them to a collection bag for removal from the water. Work under this contract may also involve benthic barriers.

New England Milfoil is the sole professional DASH contractor working to remove invasive aquatic plants in the State of Maine with extensive training and experience. They have worked with a variety of invasive aquatic species in both NH and Maine. New England Milfoil has the necessary equipment and the capacity to respond to changing conditions and has extensive experience working with both these species of plant.

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

Providing these services requires a vendor that is certified in SCUBA, OSHA compliant, able to identify aquatic plants and trained in the removal of invasive aquatic plants. At New England Milfoil all divers are OSHA compliant, SCUBA-certified and carry additional SCUBA certification as invasive aquatic plant removal divers. New England Milfoil staff have attended Maine's training on the identification and removal of invasive aquatic plants. They have been working on the removal and management of invasive aquatic plants in Maine since 2002 and have experience with several species of invasive plants. New England Milfoil also has a unique plant collection system on their DASH boat.

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

The DEP has extensive experience contracting with the Provider. Work done under past contracts was timely, comprehensive and met objectives of contracts. The cost basis in this amendment is on par with previous costs charged by the Provider in the past, which were reasonable. If DEP had staff time to run this

**PART III: SUPPLEMENTAL INFORMATION**

program with internal staff, costs would be at least double what we're paying with this contract, say nothing of the fact that other program demands would not be accomplished

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

Based on our experience with grant and contract administration, competition by other potential contractors will not lead to a better product either economically or with respect to quality of work without significant upfront costs by the contractor and DEP. For one, there are currently no known competing contractors with the equipment, staff and experience of the Provider. Considering the mission of the Provider, its track record of working with agencies and all other entities in state who are currently involved with the invasive plant species programs, there is no real incentive, or need, for others to develop competing programs. The DEP's exchange and dialogue with all involved entities suggests that there is no interest to compete for these services. The open process of annual program scrutiny by the Governor-appointed Interagency Task Force on Invasive Aquatic Plants and Nuisance Species, DEP, and all cooperators means that DEP is constantly looking for program efficiencies.

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


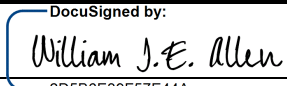
Does this request utilize ARPA/MJRP funds?

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:	Melanie Loyzim	Date:	Feb 15, 2022
Signature of DAFS Procurement Official:			
Typed Name:	william J.E. Allen	Date:	2/17/2022

NOI 0220220152 02/17/2022 - 02/23/2022