



## PROCUREMENT JUSTIFICATION FORM (PJF)

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 submitted to the Office of State 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 Procurement Services intranet site (Forms page) for additional instructions.*

PART I: OVERVIEW			
Department Office/Division/Program:	Marine Resources/Marine Mammal Research/Survey Program, PAM Program, Plankton Program		
Department Contract Administrator or Grant Coordinator:	Sarah Leiter, Jessie Mathews, Amy Wyeth		
(If applicable) Department Reference #:	N/A		
Amount: (Contract/Amendment/Grant)	\$ 684,508.00	Advantage CT / RQS #:	13A 20240108000000001908
<b>CONTRACT</b>	Proposed Start Date:		Proposed End Date:
<b>AMENDMENT</b>	Original Start Date:	<b>2/1/2024</b>	Effective Date:
	Previous End Date:	12/31/2025	New End Date:
<b>GRANT</b>	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:		Bar Harbor Whale Watch Company, Bar Harbor, ME	
Brief Description of Goods/Services/Grant:		Vessel for Visual Surveys, PAM Operations, Plankton Operations	

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 checked="" 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 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 Bar Harbor Whale Watch Company will continue to be the sole provider for monthly visual surveys (4) for North Atlantic right whales, serve as the vessel platform for Passive Acoustic Monitoring cruises occurring 3 times annually, and will modify the vessel to accommodate the addition of plankton sampling during monthly inshore surveys. This amendment covers the survey term from present through May of 2025, which will include work by all three programs. The costs and services herein will allow the work of three Division Programs to either continue in 2025 or begin in 2025 through the month of May 2025.

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

The vessels M/V Coastal Explorer and M/V Acadia Explorer, owned by Bar Harbor Whale Watch Company, must continue to be utilized for visual surveys for consistent platform height and consistent data collection needed for density and abundance estimates. The PAM program can continue to retrieve and deploy units quickly and efficiently using these vessels and combine efforts with the inshore visual operations, when possible, to maximize cost efficiency. The plankton sampling program can also combine monthly sampling efforts with inshore visual survey efforts to maximize cost efficiency. Furthermore, the combined program efforts can be cross referenced to strengthen the Division's overarching research goals related to North Atlantic right whale distributions. The jet propulsion of these vessels and experience of the captains in areas of whale activity ensure they can be safely operated around both whales and fishing gear. Furthermore, these vessels and operators are listed on the NMFS Research Permit No 27858 issued to the division under the project description and have been federally approved for the research activities conducted by ME DMR.

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

The negotiated costs are fair and reasonable given the capabilities of the provider, increases in fuel and dockage fees, and the requests made by ME DMR for services including having a second vessel on standby for a portion of the PAM field season to maximize readiness in times of inclement weather when simultaneous projects have differing needs. Day rates are based on fuel consumption and mileage for the area surveyed and/or deployment and retrieval locations. The quote for vessel modifications related to plankton operations are based on the need for the following: fabrication of pad eyes, hinges, braces and davit for the pulley, re-working a portion of the deck to mount a winch, re-working a portion of the deck rails to allow cable to pass, purchasing a winch, pulleys, cable and cable measure, re-working the electrical panel to add 208/30a/3ph receptacle for the winch, and purchasing parts /building the extension cable to power the winch.

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

Bar Harbor Whale Watch Company will remain the sole provider of vessel platforms for visual survey operations for data consistency and NMFS Permit compliance, and the sole provider of combined research project operations for the Survey Program, Passive Acoustic Monitoring Program, and Plankton Program.

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

Does this request utilize ARPA/MJRP funds?

 Yes, MJRP funds (023) – If Yes, please attach the approved Business Case(s). Yes, ARPA funds (025) – If Yes, please be aware of the requirements from awarding federal agencies. No – If No, proceed to Part V.**PART V: CONFLICTS OF INTEREST (COI); CONTRACT WITH THE STATE***Maine law contains Conflict of Interest statutes directed to State Departments, State Officers, and Employees Generally under MRS [Title 5, §18](#) and [§18-A](#), in harmony with MRS [Title 17, §3104](#).* The requesting department signatory understands and acknowledges Maine's Conflict of Interest statutes.**PART VI: APPROVALS**

The signatures below indicate approval of this procurement request.

Signature of requesting  
Department's Commissioner  
(or designee):*Meredith Mendelson*[Meredith Mendelson \(Feb 6, 2025 17:27 EST\)](#)

Typed Name:

Meredith Mendelson, Deputy  
Commissioner

Date:

Feb 6, 2025

Signature of DAFS  
Procurement Official:DocuSigned by:  
*Kathy Paquette*  
41C2BA36FAF44CD...

Typed Name:

kathy Paquette

Date:

2/25/2025






# PJF CT 13A 20240108-1908 Amendment 1-23-25

Final Audit Report

2025-02-06

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