

## 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. 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:	Bureau of Water Quality / Division of Environmental Assessment / Maine Healthy Beaches (MHB)			
Department Contract Administrator or Grant Coordinator:	Meagan Sims			
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 6,000	Advantage CT / RQS #:	<b>06A 20200330*2715</b>	
CONTRACT	Proposed Start Date:	4/1/2020	Proposed End Date:	9/30/2021
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:	The Mount Desert Island Biological Laboratory (MDI Biological Laboratory)/159 Old Bar Harbor Rd., Bar Harbor, ME 04609			
Brief Description of Goods/Services/Grant:	Laboratory services to analyze ambient marine and fresh water samples submitted by volunteers at local municipalities/state parks on the behalf of the MeDEP's Maine Healthy Beaches (MHB) Program for enterococci quantification for the Mouth Desert Island region. Analyses will be conducted using specified methods and standard laboratory quality assurance measures to prove attainment of data quality objectives. Services include entering sample results into MHB's online monitoring database.			

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
X	C. Single Source/Unique Vendor		I. Federal Agency Directed
	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:
<b>1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.</b>

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## PART III: SUPPLEMENTAL INFORMATION

The Department of Environmental Protection (DEP) administers the Maine Healthy Beaches (MHB) program, a statewide program to monitor water quality and protect public health at Maine's coastal swimming beaches. The program consists of Maine DEP program staff and diverse participants including local volunteers, municipal officials and State Parks staff, and regional laboratories. MHB staff work with local municipalities and state parks to provide training to volunteer water monitors and a notification system to inform coastal users of water quality conditions in support of public health protection for participating swimming beaches, providing a public service to the citizens of Maine. The program conducts monitoring, assessment, and public notification of water quality conditions at 63 participating beach management entities spanning approximately 200 miles. To accomplish these objectives, MeDEP must coordinate with and provide support to regional laboratories to analyze ambient marine and fresh water samples for enterococci bacteria and notify the public in the case of exceedances of federal standards.

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

MHB must utilize laboratory services in close proximity to all five Mount Desert Island area beaches (1/2 hour drive time) to ensure strict sample hold times can be met, allow program cost-savings by reducing the need for couriers, permit flexibility for sample collection times to accommodate collection by unpaid volunteers as required, reduce response time for management decisions, and provide for greater agility in collection of additional sample needs in response to sample exceedances. The MDI Biological Laboratory is the only laboratory within the required distance with sufficient staffing, resources, and expertise to perform the required services, including regional administration of the program.

The MDI Biological Laboratory staff have worked with the MHB program for over 10 years and during that time, have effectively coordinated with MHB staff to meet program objectives. This provides confidence to the Department that analyses will be performed at a high level of quality and increases the Department's confidence that the program can continue to provide this data to the public, make important public health decisions, and fulfill EPA BEACH Act funding requirements.

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

There is insufficient staffing and expertise available in the Department to perform the necessary services. Negotiated costs for these services have been determined to be fair and reasonable by assessing costs for laboratory staff time to collect samples, courier services, and cost per sample estimates for laboratories with comparable expertise. The MDI Biological Laboratory is the only laboratory within the required distance to the program's participating Mount Desert Island region beaches with the necessary expertise, capacity to devote staff time to sample transport and collection in addition to enterolert analyses, and intimate knowledge of the program's protocols and requirements.

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

MHB is not aware of competitive vendors that can provide the services required to meet MHB's enterolert analysis needs in the Mount Desert Island region. If these services are provided by another vendor in the future, MHB will issue a competitive request for services.

## PART IV: APPROVALS

<b>Signature of requesting Department's Commissioner (or designee):</b>	<i>Melanie Loyzim</i>		
	<i>By signing below, I signify that I approve of this procurement request.</i>		
<b>Printed Name:</b>	Melanie Loyzim for Jerry Reid	<b>Date:</b>	3/30/2020
<b>Signature of DAFS Procurement Official:</b>	<small>DocuSigned by:</small> <i>Kathy Paquette</i>		
<b>Printed Name:</b>	Kathy Paquette	<b>Date:</b>	4/1/2020