

## State of Maine Procurement Justification Form

This form must accompany ALL contract requests and sole source requisitions submitted to the Division of Procurement Services.

INSTRUCTIONS: Please provide the requested information in the white spaces below.

PART I: OVERVIEW			
Department Office/Division/Program:		DHHS/Maine CDC	
Department Contract Administrator or Grant Coordinator:		Chris Moiles / Lisa Munster	
(If applicable) Department Reference #:		CD0-21-54SA07	
Estimated Contract or Grant Amount:	\$ 9,672.00	Advantage CT / RQS #:	Draft RQS 10A 20200303*977
AMENDMENT	Original Start Date:		New Start Date:
	Original End Date:		New End Date:
GRANT	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
ALL OTHER	Proposed Start Date:	<b>7/18/2020</b>	Proposed End Date: <b>7/17/2021</b>
Vendor/Provider/Grantee Name, City, State:		Life Technologies Corporation North American Sales and Services Attn: Service Contract Administration Mailstop: PLE C-1 5781 Van Allen Way Carlsbad, CA 92008	
Brief Description of Goods/Services/Grant:		Service Agreement for one (1) 7500FAST DX Serial Number (275012239) for one (1) year, for two (2) Operational Qualification/Instrument Performance Verification services, and one (1) Planned Preventative Maintenance. One (1) of six (6) 7500 Fast DX Systems.	

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Mark an "X" before the justification(s) that applies to this request.			
	A. Competitive Process		G. Grant
	B. Amendment		H. State Statute/Agency Directed
<b>X</b>	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 QUESTIONS
Please respond to ALL of the following questions.
<b>1. Provide a more detailed description of the goods, services or grant to supplement the response in Part I.</b>

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## PART III: SUPPLEMENTAL QUESTIONS

Maine Health and Environmental Testing Laboratory (HETL) has multiple ABI 7500 Fast DX real-time PCR thermocyclers because these are used in day-to-day operations to determine the absence or presence of infectious diseases within a clinical specimen. Such diseases include; Pertussis, Salmonella, STEC, Influenza, Eastern Equine Encephalitis, TB, measles, mumps, rubella, clostridium, anthrax, tularemia, varicella, and emerging infectious diseases like Zika virus and Chikungunya. This is a 1-year service agreement that is required under Federal (CLIA) Clinical Laboratory Improvement Amendments guidelines and available only through Life Technologies. Service may only be performed by Life Technologies/Applied Biosystems qualified technicians. This service contract provides one (1) planned annual preventative maintenance visit, two (2) Operational Qualification/Instrument Performance Verification visits, Instrument recalibration if required, and email/phone technical support.

This equipment is supported by the Bioterrorism Preparedness and Response Program (BPRP) at the CDC and is required equipment for the participation in the Laboratory Response Network (LRN) for the detection of Bioterrorism Agents. It is the responsibility of HETL to perform these functions for the State of Maine. If these machines were not placed under service agreements and broke down, several tests performed at HETL would be delayed, or no longer offered.

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

Life Technologies (Original Equipment Manufacturer), a part of Thermo Fisher Scientific, is the only organization that provides services related to maintenance and repair of the 7500 FAST DX in accordance with the criteria specified in the attached "Services and Support advantages" letter. Only Thermo Fisher Scientific's personnel possess the requisite product knowledge and specialized training to provide such services. Thermo Fisher Scientific is the sole manufacturer of the instruments listed in the attached quotation and has not issued a letter of assurance nor provided a manufacturer's training certification to any third party (or its employees, subcontractors, or agents) for the servicing of its manufactured instruments. Thermo Fisher Scientific maintains intellectual property rights to its data collection software and service tool software. Third-party resellers and service providers are strictly prohibited and unauthorized to access, use, or sell this software. Doing so strictly violates our intellectual property rights.

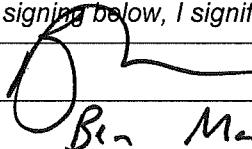
**3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.**

The laboratory has received a 40% discount on these systems due to its "not-for-profit laboratory" status and HETL is also a member of the Association of Public Health Laboratories (APHL). Without a service agreement, HETL may be considered out of regulatory compliance and would pay for repairs beyond cost of the service agreement.

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

The department does not intend to RFP this service at this time.

## PART IV: APPROVALS

<b>Signature of requesting Department's Commissioner (or designee):</b>	<i>By signing below, I signify that I approve of this procurement request.</i>		
			
<b>Printed Name:</b>	Ben Mann	<b>Date:</b>	3/31/20
<b>Signature of DAFS Procurement Official:</b>	<small>DocuSigned by:</small> <i>Justin Franzose</i>		
<b>Printed Name:</b>	<small>AEED9C7B3A8044E...</small> Justin Franzose	<b>Date:</b>	4/21/2020