

## 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:		Dept. of the Secretary of State, Division of Elections and APA	
Department Contract Administrator or Grant Coordinator:		Julie L. Flynn, Deputy Secretary of State	
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$ 105,100	Advantage CT / RQS #:	29A 20171227*2030
CONTRACT	Proposed Start Date:	Proposed End Date:	
AMENDMENT	Original Start Date:	Effective Date:	9/1/2020
	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:		IVS, LLC, 13293 O'Bannon Station Way, Louisville, KY 40223	
Brief Description of Goods/Services/Grant:		To provide accessible electronic absentee ballots to UOCAVA and civilian voters with print disabilities.	

### 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
x	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:

1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.

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### PART III: SUPPLEMENTAL INFORMATION

As a result of a lawsuit filed against the Department about 100 days before the November 3, 2020 General Election, the Department was required to implement an accessible electronic absentee ballot service in less than 70 days, to be available at least 30 days before the election. The ballot had to be accessible to voters with print disabilities, and allow these voters the ability to obtain, mark and return an absentee ballot privately and independently without having to visit a voting place or town office.

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

Because of the extremely tight time frame for developing and deploying the service, the Plaintiff's expert advised that the preferred solution could be deployed by the State's existing vendor for UOCAVA ballots, since this vendor already was providing electronic PDF ballot delivery to uniformed service and overseas voters. Accordingly, we agreed to amend our existing contract for UOCAVA ballots (which was the result of a competitive bid process) to add the development and deployment of the accessible online absentee ballots for both UOCAVA and civilian voters with print disabilities. The UA (Universally Accessible) PDF ballot was agreed to be an initial solution that could be implemented and deployed by 30 days before the November election and be used for subsequent elections occurring before June 30, 2021. However, as part of the settlement of the lawsuit, we agreed that we would redesign the service to use an HTML ballot for elections occurring on or after July 1, 2021. This amendment reflects the fees for both implementations.

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

The annual fees are about 1/3 of the fees for the UOCAVA ballot service – which was the lowest bid for the UOCAVA ballot RFP. The development fees are in-line with other developments of this type and are very reasonable.

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

This contract expires on December 31, 2023. In early 2023, we plan to develop and issue an RFP to select a new service for both UOCAVA and accessible absentee ballots to commence in 2024.

### 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>	<i>Julie L. Flynn</i>	<b>Date:</b>	<i>4-22-2021</i>
<b>Signature of DAFS Procurement Official:</b>	<small>DocuSigned by:</small> <i>Sue H. Garcia</i>		
<b>Printed Name:</b>	<small>E5DB92AC0F8D490...</small> Sue H. Garcia	<b>Date:</b>	4/23/2021