



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/Division of Response Services		
Department Contract Administrator or Grant Coordinator:	Nina Caputo		
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$ \$29,692.08	Advantage CT / RQS #:	RQS #20220323*1063
CONTRACT	Proposed Start Date:	3/22/2022	Proposed End Date: 3/22/2023
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:	CavCom Inc., WALKER, MN		
Brief Description of Goods/Services/Grant:	Communication units to coincide with the purchase of Division of Response Services SCBA upgrade		

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.

In 2019, the Safety Training In Response (STIR) Committee appraised the meters, safety equipment, and PPE currently employed by the Division of Response Services for replacement or upgrade; this internal evaluation resulted in a critical review of the MSA FireHawk MMRs Self-Contained Breathing Apparatus (SCBA) utilized by every Responder in the Division. The STIR Committee found the SCBAs were due to be upgraded.

Federal and state regulations do not require that the Division of Response Services adhere to the SCBA performance standards set forth by the National Fire Protection Association (NFPA) in their 1981 guidance. However, the Bureau of Remediation and Waste Management (BRWM) has always striven to meet those standards due to their rigorous health and safety requirements and added compliance with NFPA to internal Bureau documents. Section 5.2.6 of the "Guidance for the Selection, Use and Maintenance of Personal Protection Equipment" states "all PPE use by bureau personnel shall meet or exceed applicable state and federal labor standards, as well as guidelines established by professional organizations such as ... NFPA when applicable."

NFPA 1981 requires all in-service SCBAs to be compliant with the three most recent editions of NFPA guidance (in this case, 2019, 2013, and 2007) with a grace period of 5 years granted to the fourth most recent edition (2002); SCBAs **must** be retired by the end of the grace period. The FireHawks were manufactured to meet the requirements of the 2002 edition of NFPA 1981. This means the Division's SCBAs are currently in the grace period that allows for retirement and replacement; that grace period is set to expire by 12/31/2022. The Division has already selected the MSA G1 as the replacement SCBA after rigorous review of all viable options.

However, upgrading to a product that has 20 years worth of industry improvements incorporated into its design created a significant problem: communications. The Division of Response Services' current means of communication (Harris P5400 radios) are not compatible with the MSA G1. The STIR Committee investigated multiple communications options over the course of a year including new radios, adaptors for the old radios, throat mics, and makeshift solutions with current equipment, but all proved cost prohibitive, antiquated, or incompatible with NFPA regulations. Finally, the CavCom Talk Through Your Ears 2000-IS was found to be compliant with NFPA standards, compatible with current and projected Division PPE and radios, and more reasonably priced than other options.

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

As stated in the provided letter from CavCom Inc., "This letter is confirmation that the in-ear communication [product]... *Talk Through Your Ears*® are sole source products. Manufactured, sold, and distributed exclusively by CavCom, Inc."

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

PART III: SUPPLEMENTAL INFORMATION

The provided quote is from CavCom, Inc. Purchasing directly from CavCom, Inc. means purchasing directly from the manufacturer. This eliminates additional "middleman" costs that arise from distributors and shipping companies.

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

The Division of Response Services always works to find the most cost effective but job-appropriate option on the market. The entire process to select this Communications device has taken over a year, with significant research and in-person demonstrations supporting our choice. Many of the pieces of equipment used by the Division of Response Services are unique and specialized to our specific tasks; CavCom Talk-Through-Your-Ears 2000-IS is compatible with all our equipment, PPE, and work practices and will remain so for the shelf-life of our SCBAs (at least 15-20 years).

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


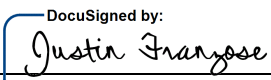
Does this request utilize ARPA/MJRP funds?

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:	David R. Madore for Melanie Loyzim	Date:	Mar 23, 2022
Signature of DAFS Procurement Official:			
Typed Name:	AEED9C7B3A8044E... Justin Franzose	Date:	4/6/2022