



DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

DIVISION OF PROCUREMENT SERVICES

STATE OF MAINE

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 Marine Resources/Bureau of Marine Patrol		
Department Contract Administrator or Grant Coordinator:		Captain Colin MacDonald / Amanda Webb		
(If applicable) Department Reference #:		N/A		
Amount: (Contract/Amendment/Grant)		\$ \$2,400,000.00	Advantage <u>CT</u> / RQS #:	13A 20230210000000002069
CONTRACT	Proposed Start Date:	2/28/2023	Proposed End Date:	4/30/2025
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:		Wesmac Custom Boats Surry, ME VC1000096096		
Brief Description of Goods/Services/Grant:		The Department of Marine Resources, Bureau of Marine Patrol will design and construct a 55-foot lobster-style offshore patrol vessel incorporating EPA Tier 4 marine diesel exhaust aftertreatment technology		

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.

The Department of Marine Resources, Bureau of Marine Patrol maintains a fleet of large (35-46') fiberglass lobster-style patrol vessels used for marine fisheries and boating safety enforcement, and search and rescue. Consistent with the approved ARPA Business Case "V.78.1 Marine Patrol Infrastructure", the Bureau of Marine Patrol is proposing to design and construct a much larger addition to the fleet: a 55-foot Wesmac lobster boat-style patrol vessel with an Environmental Protection Agency (EPA) Tier 4 compliant clean-burning diesel engine. The Tier 4 engine will make this project the first vessel associated with the Maine lobster fishing fleet to meet these stringent emissions criteria. As such, Governor Mills is aware of the project and it is a priority for this Administration.

To address regulatory priorities for offshore patrol, such as enhanced enforcement of fishing gear restrictions to protect right whales and the execution of the Joint Enforcement Agreement with the federal National Marine Fisheries Services, the Bureau requires a safe, stable, and reliable offshore platform within this size range. As the lobster fishery continues to move offshore, this vessel will provide the Bureau with the capacity to conduct routine at-sea gear inspections, hauling much larger commercial offshore gear to enforce whale entanglement and incidental take restrictions. The new vessel, larger than any currently in the Marine Patrol fleet, will facilitate patrol of distances often exceeding fifty nautical miles and in a broad range of ocean conditions.

The vessel presents an opportunity for the Department of Marine Resources to substantially reduce emissions associated with offshore patrol. Due to the proposed hull volume, this vessel will have the space necessary to utilize a Tier 4 compliant engine and reduce emissions by up to 90%. In rising to the challenge of Maine's Climate Action Plan, "Maine Won't Wait", the proposed vessel will be the first of potentially many in the fleet to incorporate these technological advances in marine diesel engines. It will also provide a state-wide pilot case in furthering the technology via the opportunity to adapt Tier 4 exhaust aftertreatment technologies to the unique requirements of the Maine-built fiberglass lobster-style vessel.

The Bureau is integrating Tier 4 compliance voluntarily, as it is exempt from federal regulations requiring compliance in this size class and engine horsepower. Given the recent pushback by the Maine lobster fishery on phased federal mandates requiring Tier 4 compliance, the Bureau views this as an important step in leading by example on the water. The Bureau anticipates that this initial Tier 4 engine installation may contribute to commercial development of expertise and best practices in adapting these engines to the smaller fiberglass vessels that comprise the commercial lobster fishing fleet in Maine.

Working within the landscape of available, certified Tier 4 compliant marine diesel engines, the Bureau is proposing incorporation of the MAN V12 1400HP marine diesel engine with the Selective Catalytic Reduction (SCR) technology to meet Tier 4 emissions certification. The SCR technology can reduce nitrogen oxide emission by up to 90%.

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

PART III: SUPPLEMENTAL INFORMATION

Wesmac Custom Boats is the only vendor that can design and build the vessel to the specifications required by the Bureau because these base requirements are only available in a Wesmac hull. First, the vessel must be a fiberglass lobster-style boat in keeping with the functionality required to carry out the Bureau's statutorily mandated mission and duties in offshore conditions. As a function of routinely hauling lobster gear for inspection and enforcement, the Bureau's entire large vessel fleet are lobster-style vessels. Second, the hull must be hard-chined to provide the necessary stability and maneuverability for offshore conditions. Third, the hull must be made of fiberglass. Independently, these characteristics exist in other vessels within this size range; however, Wesmac Custom Boats is the only manufacturer that combines these characteristics into one hull. Aside from being one of only a few vendors building lobster-style vessels of this size, Wesmac Custom Boats is the proprietary owner of the required hull design and the only boatbuilder with the mold for this hull.

Additionally, an EPA Tier 4 compliant engine has not yet been adapted to fit in any fiberglass, Maine lobster-style, boat due to the technical challenges of mitigating the high temperature of its exhaust in proximity to fiberglass. The Tier 4 exhaust aftertreatment systems require substantial hull volume. As the proprietary owner of the required hull design, Wesmac Custom Boats has the exclusive capacity for the design and build in leading iterative problem-solving around engine and exhaust aftertreatment configuration and any hull design modifications needed to accommodate the Tier 4 engine. Given the Bureau's unique and detailed specifications for this vessel, the Bureau previously partnered with Wesmac Custom Boats to investigate the feasibility of outfitting its proprietary hull design with a Tier 4 compliant engine. Results indicate that the build is feasible and within the Bureau's budget for this project, approved in the ARPA business case "V.78.1 Marine Patrol Infrastructure".

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

The Department has completed multiple projects awarded through the competitive bid process with this vendor in the past. Through decades of experience the Department has a trusted relationship with the vendor, who's estimated project costs have proven accurate in the past. Department representatives have met with the vendor regarding this project to establish a clear understanding of the Department's expectations relating to engineering and design work. The vendor has the established relationships needed with industry subcontractors and vendors to complete this project and has provided an estimate based on time and materials.

Several additional factors that ensure that costs will be kept within the budget approved via the ARPA Business Case "V.78.1 Marine Patrol Infrastructure." The vendor is able to complete the work identified in an acceptable timeframe given the proprietary components described above. The vendor is located in the State of Maine and within a reasonable distance of project coordinators making it both efficient and cost effective for Department representatives to participate in the planning and design.

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

The competitive RFP process normally used by the Department is the preferred method to acquire commodities, such as departmental vessels, however the unique technical nature of this project, coupled with the selected vendor having proprietary rights to the hull design, has made it necessary for the department to deviate from the traditional RFP process. The competitive RFP process will be utilized on

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PART III: SUPPLEMENTAL INFORMATION

future vessel construction projects that do not rely on proprietary designs to ensure the safe incorporation of new technology.

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

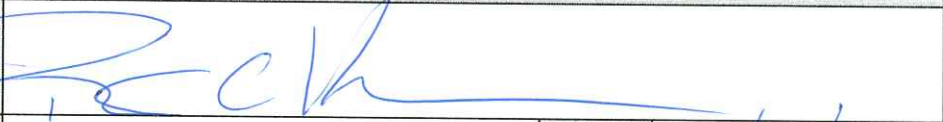
Does this request utilize ARPA/MJRP funds?

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:	PATRICK C DELIHLER	Date:	2/13/2023
Signature of DAFS Procurement Official:	DocuSigned by: David Morris		
Typed Name:	2A644AF5681F482... David Morris	Date:	4/6/2023