



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:		DACF, Office of the Commissioner, PFAS Fund		
Department Contract Administrator or Grant Coordinator:		Beth Valentine		
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)		\$ 5,700,000	Advantage CT / RQS #:	CT 01A 20240227*2343
CONTRACT	Proposed Start Date:	3/20/2024	Proposed End Date:	3/31/2027
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:		Maine Organic Gardeners and Farmers Association PO Box 170, Unity, ME 04988		
Brief Description of Goods/Services/Grant:		MOFGA operates a PFAS Emergency Relief Fund to support PFAS-impacted farmers. As a non-profit, MOFGA can provide financial support to impacted farms more quickly than DACF's Income Replacement and/or Farm Viability Fund programs can.		

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 checked="" 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.

Per- and polyfluoroalkyl substances (PFAS) are synthetic chemicals that repel oil, grease, water, and heat. PFAS are widespread and persistent in the environment. Farmland containing PFAS can contaminate soils, water, crops, and livestock to the extent that they are unsafe for human consumption (and, in the case of forage crops, unsafe for feeding livestock).

DACF's Income Replacement Program

The discovery of PFAS contamination at a Maine farm is devastating. The result is the immediate closure of the business and income loss because farms may not sell their products commercially if they are adulterated by this contaminant. This is a stressful time for producers who do not know what the future holds nor how they will survive economically.

Given current legislative funding to DACF for farmer support, the Department is in the position to offer economic aid to farmers with confirmed contamination at their farms and who have ceased selling most or all their products commercially. DACF will provide financial support to these farms potentially equivalent to up to two years of lost gross income.

DACF's Income Replacement Program is guided by the Maine DACF Producer PFAS Income Replacement policy document dated October 13, 2023, as may be updated from time to time, and by rule 01-001 C.M.R. ch. 401 (2024).

DACF's Farm Viability Program

Despite the challenges, many PFAS-impacted farmers would like to pursue farming on their land. Experience with contaminated farms in Maine has shown that it is possible to deplete livestock over time with clean water, feed, and access to PFAS-free grazing fields (as needed). Emerging data also indicates that some crops appear to tolerate PFAS soils and may not contain PFAS at levels of concern for human consumption.

Producers need financial assistance (and time) to make the investments to shift their operations. For instance, a livestock owner may need to secure a steady supply of clean feed. A produce farmer may need to purchase clean soil for a greenhouse, new seed, or other PFAS-free inputs to transition to safe crops. Other infrastructure investments or equipment purchases may also need to be made to plant, irrigate, harvest, or store these inputs and ultimate products.

DACF's Farm Viability Program is guided by the Maine Farm Viability Fund policy document dated October 11, 2023, as may be updated from time to time, and by rules 01-001 C.M.R. ch. 400, 402-404 (2024).

Time is of the Essence

When PFAS was discovered at multiple farms across Maine in early 2022, both DACF and the nonprofit community mounted robust responses. DACF established the PFAS Response Program within the Bureau of Agriculture, Food and Rural Resources and, later, the PFAS Fund in the Commissioner's Office. At the same time, Maine Farmland Trust (MFT) and the Maine Organic Farmers and Gardeners Association (MOFGA) jointly established a PFAS Emergency Fund. As nonprofit organizations, MFT and MOFGA can react much more nimbly than DACF and, over the past two plus years, have provided critical and timely financial assistance to PFAS-impacted commercial farmers. When payments from MFT or MOFGA are consistent with DACF's Income Replacement or Farm Viability policies, DACF will reimburse MFT or MOFGA according to the same terms as if the payments were made directly to the farmer.

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

MOFGA was selected because it, in partnership with MFT, manages a PFAS Response Fund that is complementary to DACF's PFAS response efforts. See the MOU attached as Appendix A.

PART III: SUPPLEMENTAL INFORMATION

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

DACF reimburses MOFGA for allowable expenses according to DACF’s own policies and rules.

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

DACF has no current plans to seek additional partners to advance payments to PFAS-impacted farmers.

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

Does this request utilize ARPA/MJRP funds?

Yes, MJRP funds (023) – If Yes, please attach the approved Business Case(s).

Yes, ARPA funds (025) – If Yes, please be aware of the requirements from awarding federal agencies.

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):	DocuSigned by: <i>Amanda E. Beal</i> <small>20AF3A2882BB4AA...</small>		
Typed Name:	Amanda E. Beal	Date:	4/2/2024
Signature of DAFS Procurement Official:	DocuSigned by: <i>David Morris</i> <small>2A644AF5681F482...</small>		
Typed Name:	David Morris	Date:	4/17/2024

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