



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:		Secretary of State, Division of Elections	
Department Contract Administrator or Grant Coordinator:		Julie L. Flynn, Deputy Secretary of State	
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$ 400,191	Advantage CT / RQS #:	20121005*1487
CONTRACT	Proposed Start Date:		Proposed End Date:
AMENDMENT	Original Start Date:	10/3/2012	Effective Date:
	Previous End Date:	6/30/2024	New End Date:
GRANT	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:		Election Systems & Software, LLC Omaha, NE	
Brief Description of Goods/Services/Grant:		Lease precinct and central count ballot scanning/ tabulating units for Federal and State elections.	

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 checked="" 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.

This is a 1-year extension (for FY25) of the previous contract for the State to lease 751 precinct ballot scanning/tabulating units provided to 330 towns for counting ballots at state/federal elections and to lease a central count scanner for the Elections Division to use for conducting the Ranked-choice Voting (RCV) central count.

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

The Department had a contract with Election Systems & Software, LLC, which was selected after a competitive bid issued in the Summer of 2012. The original bid allowed for a 5-year term plus a 2-year extension, which expired on 12/31/19. The Department originally hoped to issue an RFP for a new tabulation system in late 2019. However, there was a delay in the adoption of the new Voluntary Voting Systems Guidelines (called VVSG 2.0) by the US Elections Assistance Commission (EAC) until 2021, followed by another delay in certification of test labs and the readiness of the labs for testing and certification of new equipment until last year. Only one vendor has submitted their new equipment for certification, and no equipment is expected to be certified in 2024. This has caused us to delay the issuance of the tabulating system RFP until late 2024 or early 2025.

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

This year's lease cost is the same amount as last year, which is \$151,633 less than the 2021-2022 annual lease cost for the same services and the same number of tabulators.

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

As previously stated in Item 3, the Department expects to issue an RFP to lease a new ballot scanning and tabulating system by early 2025. Until we complete the procurement of a new tabulating system that is compliant with and able to be certified to the VVSG 2.0, we will continue to extend this agreement.

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).

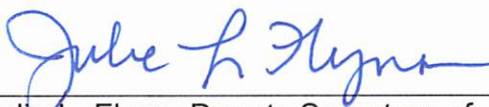
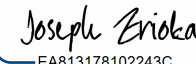
Yes, ARPA funds (025) – If Yes, please be aware of the requirements from awarding federal agencies.

No – If No, proceed to Part V.

PART V: CONFLICTS OF INTEREST (COI); CONTRACT WITH THE STATE

Does the requesting Department signatory understand and acknowledge Maine's COI Statute?

Yes, the requesting Department understands and acknowledges MRS Title 5, §18-A, 2.

PART VI: APPROVALS			
The signatures below indicate approval of this procurement request.			
Signature of requesting Department's Commissioner (or designee):			
Typed Name:	Julie L. Flynn, Deputy Secretary of State	Date:	5/1/2024
Signature of DAFS Procurement Official:	<div style="border: 1px solid black; padding: 2px;"> <small>DocuSigned by:</small>  <small>EA813178102243C...</small> </div>		
Typed Name:	Joseph Zrioka Director of IT Procurement	Date:	5/14/2024