

## 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:		DHHS/Maine CDC/DS/HETL		
Department Contract Administrator or Grant Coordinator:		Chris Moiles		
(If applicable) Department Reference #:		CD0-20-54SA31		
Amount: (Contract/Amendment/Grant)	\$ 9,672.00	Advantage CT / RQS #:	Draft RQS 10A 20200226000000000964	
CONTRACT	Proposed Start Date:	<b>5/9/2020</b>	Proposed End Date:	<b>5/8/2021</b>
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:		Life Technologies Corporation North American Sales and Services Attn: Service Contract Administration Mailstop: PLE C-1 5781 Van Allen Way Carlsbad, CA 92008		
Brief Description of Goods/Services/Grant:		Service Agreement for one (1) 7500FAST DX Serial Number (275031200) for one (1) year for two (2) Operational Qualification/Instrument Performance Verification services, and one (1) Planned Preventative Maintenance. This is one (1) of six (6) Fast DX Instruments (See different Serial Numbers)		

### 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
	B. Amendment		H. State Statute/Agency Directed
<b>X</b>	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:

**State of Maine  
Procurement Justification Form**

**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 Health and Environmental Testing Laboratory (HETL) has multiple ABI 7500 Fast DX real-time PCR thermocyclers because these are used in day to day operations to determine the absence or presence of infectious diseases within a clinical specimen. Such diseases include; Pertussis, Salmonella, STEC, Influenza, Eastern Equine Encephalitis, TB, measles, mumps, rubella, clostridium, anthrax, tularemia, varicella, and emerging infectious diseases like Zika virus and Chikungunya. This is a 1-year service agreement that is required under Federal (CLIA) Clinical Laboratory Improvement Amendments guidelines and available only through Life Technologies. Service for this instrument may only be performed by Life Technologies/Applied Biosystems qualified technicians. This service contract provides one (1) planned annual preventative maintenance visit, two (2) Operational Qualification/Instrument Performance Verification visits, Instrument recalibration if required, and email/phone technical support.

This equipment is supported by the Bioterrorism Preparedness and Response Program (BPRP) at the CDC and is required equipment for the participation in the Laboratory Response Network (LRN) for the detection of Bioterrorism Agents. It is the responsibility of HETL to perform these functions for the State of Maine. If these machines were not placed under service agreements and broke down, several tests performed at HETL would be delayed or no longer offered.

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

Life Technologies (Original Equipment Manufacturer), a part of Thermo Fisher Scientific, is the only organization that provides services related for maintenance and repair of the 7500 FAST DX in accordance with the criteria specified in the attached "Services and Support advantages" letter (Appendix 1). Only Thermo Fisher Scientific's personnel possess the requisite product knowledge and specialized training to provide such services. Thermo Fisher Scientific is the sole manufacturer of the instruments listed in the attached quotation and has not issued a letter of assurance nor provided a manufacturer's training certification to any third party (or its employees, subcontractors, or agents) for the servicing of its manufactured instruments. Thermo Fisher Scientific maintains intellectual property right to its data collection software and service tool software. Third-party resellers and service providers are strictly prohibited and unauthorized to access, use, or sell this software. Doing so strictly violates our intellectual property rights

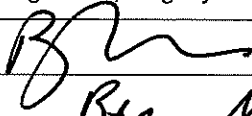

**3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.**

HETL received a 40% discount on these systems due to its "not-for-profit laboratory" status and HETL's membership with the Association of Public Health Laboratories (APHL). Without a service agreement, HETL may be considered out of regulatory compliance and would pay for repairs beyond cost of the service agreement.

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

The department does not intend to RFP this service at this time.

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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>	 Ben Moran	<b>Date:</b>	5/20/20
<b>Signature of DAFS Procurement Official:</b>	DocuSigned by:  Justin Franzose		
<b>Printed Name:</b>	AEE9C7B3A8044E... JUSTIN Franzose	<b>Date:</b>	6/1/2020