

State of Maine Procurement Justification Form

cThis 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. 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: | DEP/BWQ/DEA/Invasive Aquatic Species Program | | |
| Department Contract Administrator or Grant Coordinator: | Denise Blanchette | | |
| (If applicable) Department Reference #: | | | |
| Amount: (Contract/Amendment/Grant) | \$33,270 | Advantage CT / RQS #: | |
| CONTRACT | Proposed Start Date: | June 1, 2020 | Proposed End Date: December 31, 2021 |
| 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: | The Cabrazzard Group (DBA)New England Milfoil, 391 Center Conway Road ,Brownfield, ME 04010 | | |
| Brief Description of Goods/Services/Grant: | Control and management of invasive aquatic species using Diver Assisted Suction Harvester. (DASH) and benthic barriers | | |

| 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 |
| X | 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: |
| 1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I. |
| The Maine Department of Environmental Protection (DEP) is charged by the Legislature (38 MRSA §1862 and §1872, among other statutes) with conducting programs designed to reduce the spread of invasive aquatic plants. The legislation requires a variety of functions as part of program operations. It is within the scope of DEP's Invasive Aquatic Species Program (IASP) to evaluate, manage and prevent further spread of newly discovered invasive aquatic plants. DEP is also charged with oversight of the State of Maine rapid response plan to new invasive aquatic plant infestations. |

State of Maine Procurement Justification Form

PART III: SUPPLEMENTAL INFORMATION

In 2019 two new invasive aquatic plant infestations (Upper Kennebec River, Hinckley, ME *P. crispus*, *M. heterophyllum*, Big Lake, Princeton ME *M. heterophyllum*) were in areas with no active local groups. In addition *P. crispus* is known to only be in two other locations in the state. The discovery of *M. heterophyllum* in Washington county marks the first known infestation in this region of the state. Big lake is also part of large connected system that will pose a great risk of spread through the area. Surveys revealed significant areas of plant growth and DEP staff rapid response does not have the capacity to remove plants to prevent possible spread. In addition to threatening other areas of the waterbodies, each new infestation poses a significant risk of spreading downstream to other areas of the watershed system.

This contract concerns the manual removal using a diver-assisted suction harvester (DASH), technology which DEP does not possess. DASH can remove a large volume of plants when divers remove plants by hand and feed the plants into a suction hose that carries them to a collection bag for removal from the water. Work under this contract may also involve benthic barriers.

New England Milfoil is the sole professional DASH contractor working to remove invasive aquatic plants in the State of Maine with extensive training and experience. They have worked with a variety of invasive aquatic species in both NH and Maine. New England Milfoil has the necessary equipment and the capacity to respond to changing conditions and has extensive experience working with both these species of plant.

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

Providing these services requires a vendor that is certified in SCUBA, OSHA compliant, able to identify aquatic plants and trained in the removal of invasive aquatic plants. At New England Milfoil all divers are OSHA compliant, SCUBA-certified and carry additional SCUBA certification as invasive aquatic plant removal divers. New England Milfoil staff have attended Maine's training on the identification and removal of invasive aquatic plants. They have been working on the removal and management of invasive aquatic plants in Maine since 2002 and have experience with several species of invasive plants. New England Milfoil also has a unique plant collection system on their DASH boat. This equipment will allow for better containment of *P. crispus* turions, reducing likelihood of infesting other areas. Finally, New England Milfoil is the only contractor in the state with experience using DASH to remove *P. crispus*.

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

The DEP has extensive experience contracting with the Provider. Work done under past contracts was timely, comprehensive and met objectives of contracts. The cost basis in this amendment is on par with previous costs charged by the Provider in the past, which were reasonable. If DEP had staff time to run this program with internal staff, costs would be at least double what we're paying with this contract, say nothing of the fact that other program demands would not be accomplished.

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


Based on our experience with grant and contract administration, competition by other potential contractors will not lead to a better product either economically or with respect to quality of work without significant upfront costs by the contractor and DEP. For one, there are currently no known competing contractors with the equipment, staff and experience of the Provider. Considering the mission of the Provider, its track record of working with agencies and all other entities in state who are currently involved with the invasive plant species programs, there is no real incentive, or need, for others to develop competing programs. The DEP's exchange and dialogue with all involved entities suggests that there is no interest to compete for these services. The open process of annual program scrutiny by the Governor-appointed Interagency Task Force on Invasive Aquatic Plants and Nuisance Species, DEP, and all cooperators means that DEP is constantly looking for program efficiencies.

PART IV: APPROVALS

Signature of requesting

By signing below, I signify that I approve of this procurement request.

State of Maine Procurement Justification Form

| | | | |
|---|---|--------------|----------|
| Department's Commissioner (or designee): |  | | |
| Printed Name: | Gerald D. Reid | Date: | 5/29/20 |
| Signature of DAFS Procurement Official: | <small>DocuSigned by:</small> <i>William J. E. Allen</i> | | |
| Printed Name: | <small>2D5B6E39F57E44A...</small> William J.E. Allen | Date: | 6/2/2020 |

NOI 0620200452 06/02/2020 - 06/08/2020