

## 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:		Maine Judicial Department			
Department Contract Administrator or Grant Coordinator:		Richard E. Record, Jr.			
(If applicable) Department Reference #:					
Amount: (Contract/Amendment/Grant)		\$ 32,000	Advantage CT / RQS #:	20200602*3655	
CONTRACT	Proposed Start Date:	July 1, 2020	Proposed End Date:	June 30, 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:		Atherton Electronic Technicians 19 Hawaii Lane Rochester NH, 03867			
Brief Description of Goods/Services/Grant:		Troubleshoot, resolve, and repair For the Record (FTR) digital recording software and programs, and related hardware/software components.			

### 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:

1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.

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### PART III: SUPPLEMENTAL INFORMATION

Per the Maine Rules of Court and Administrative Orders promulgated by the Chief Justice of the Supreme Court, court hearings are required to be electronically recorded to preserve the record for appeals to the Maine Supreme Court and to protect the rights of the parties. It is critical that the digital recording equipment be properly installed, serviced and maintained, and that when problems arise, there be immediate access to specialized and highly skilled technicians. At this time, the vendor identified in this contract is the only vendor we are aware of that can meet this need.

A technical services contract with the vendor will ensure the sophisticated electronic recording systems used by the courts function properly and in so doing will protect the access to justice rights of the parties.

The service contract provides court staff, located in 39 courthouses across the state, the ability to routinely seek assistance from the vendor by phone, and when necessary, in person. If court staff knows they can freely use a technical resource, they are much more likely to take advantage of that resource. Doing so results in the proper upkeep of systems and ultimately reduces the frequency and severity of technical issues. Keeping technical equipment in a superior state of readiness is necessary for capturing a clear-sounding and accurate record; and ensures that the court is able to keep its tightly scheduled dockets moving smoothly.

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

The services the vendor will provide are unique, as are the needs of the Maine Courts. As previously discussed, FTR is a sophisticated software program built for digitally electronically recording court proceedings. We are not aware of any other vendor that can provide these services, never mind the fact that the services are required to be timely (so that the court's docket can proceed) and statewide (Maine has 39 court locations with 90 courtrooms).

AETechs has a detailed and extensive inventory of Maine's courtrooms and equipment; photos of each system, including location of the devices; knowledge of sound issues related to each courtroom; and, knowledge and experience with the PA sound systems that complement the ER systems. They are uniquely qualified to troubleshoot problems over the phone, and in person, given this knowledge as well as their knowledge of the capabilities and limitations of FTR. They are also willing to work within normal court hours, or outside of those hours, and have done, and will do, "whatever it takes" to get the job done to the satisfaction of the Maine Courts. At this time, the vendor identified in this contract is the only entity that meets this need.

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

There is one other vendor we are aware of that provides one-year service contracts for FTR systems, Electronic Dictation systems (EDS). They quoted a price of \$495 per device, but also told the Judicial Branch that they are not interested in servicing FTR units in Maine. AE Techs have quoted a unit price of \$320, a savings of \$175 per unit. With approximately 100 units statewide, the savings is almost \$17,500 annually.

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

In order to foster competition in the future, we will continue to submit RFQs when we purchase new FTR systems for the courts. Should we find that there are new contractors with the training and skills able to meet the needs of the courts, we will engage with them as appropriate.

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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>		
	<i>Richard Record, Director, Court Services</i>		
<b>Printed Name:</b>	<i>Richard Record</i>	<b>Date:</b>	<i>May 14, 2020</i>
<b>Signature of DAFS Procurement Official:</b>	<small>DocuSigned by:</small> <i>William J.E. Allen</i>		
<b>Printed Name:</b>	<small>20556E39F57E44A</small> <i>William J.E. Allen</i>	<b>Date:</b>	<i>6/5/2020</i>