

# 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. 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/Water Bureau/DEA/Invasive Aquatic Species Program	
Department Contract Administrator or Grant Coordinator:		John McPhedran 207.215.9863	
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$100,000 (amendment)	Advantage CT / RQS #:	06A 20180329*2862
<b>CONTRACT</b>	Proposed Start Date:	Proposed End Date:	
<b>AMENDMENT</b>	Original Start Date:	Effective Date:	12/1/2020
	Previous End Date:	New End Date:	12/31/2021
<b>GRANT</b>	Project Start Date:	Grant Start Date:	
	Project End Date:	Grant End Date:	
Vendor/Provider/Grantee Name, City, State:		Solitude Lake Management, 590 Lake Street Shrewsbury, MA 01545 Vendor Code VC0000226573	
Brief Description of Goods/Services/Grant:		Application of aquatic herbicides to control invasive aquatic plants as directed by the Department. The service will continue ongoing projects and enable rapid response new infestations.	

## 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>X</b>	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

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**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 Department is charged with preventing the spread of invasive aquatic plants and managing existing infestations where feasible (38 MRS §410-N). In certain cases, the Department uses herbicide to manage infestations. The service provided in this contract amendment is critical for the Department's rapid response capacity to new infestations and for assuring efficacy of the Department's ongoing aquatic plant management projects. This amendment meets the Department's treatment needs in calendar years 2020 and 2021 for limited aquatic plant management using herbicides.

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

The Department has worked with this Provider on previous herbicide treatments on Maine lakes. The Department knows that this Provider can meet the Department's need and achieve treatment objectives. Streamlining of arrangements with service providers for herbicide treatments is integral to any rapid response.

In 2014, the Department issued a Request for Proposals for herbicide contractors and received one bid, from the same Provider in this contract amendment. In February 2018, the Department confirmed with colleagues in New Hampshire and Massachusetts that the Provider in this contract conducts all herbicide treatments in those states because it is the only company with the capabilities for large lake projects in the region. Department staff attend the annual meeting of the Northeast Aquatic Plant Management Society with state managers and industry representatives. We know from these meetings that the Provider is the sole business in the region with capacity to conduct these treatments.

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

From discussions with colleagues at the annual Northeast Aquatic Plant Management Society, Department staff we have concluded that the costs charged by the Provider are on par within industry standards. In addition, the Department's experience using this contractor for multiple treatment projects in Maine is that the annual costs and increases are reasonable.

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

Department staff communicate regularly with colleagues across New England. These exchanges provide opportunities to inquire about other herbicide applicators with the capacity to conduct the treatments in Maine. Department staff can also learn of new applicators in the future from the Maine Board of Pesticides Control. The Department will continue to inquire about other potential applicators but, for the time being, the Provider in this contract is solely qualified to conduct these projects for the State of Maine.

**PART IV: APPROVALS**

**Signature of requesting  
Department's Commissioner  
(or designee):**

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



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*Gerald D. Reid*

<b>Printed Name:</b>	<i>[Signature]</i>	<b>Date:</b>	<i>6/8/20</i>
<b>Signature of DAFS Procurement Official:</b>	DocuSigned by: <i>Justin Franzose</i>		
<b>Printed Name:</b>	AEED9C7B3A8044E... Justin Franzose	<b>Date:</b>	6/19/2020