

**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: | | DEP, Water Bureau, Division of Water Quality Management | |
| Department Contract Administrator or Grant Coordinator: | | Brandy Piers | |
| (If applicable) Department Reference #: | | | |
| Amount: (Contract/Amendment/Grant) | \$ 500,000 | Advantage CT / RQS #: | 20220714*0137 |
| CONTRACT | Proposed Start Date: | | Proposed End Date: |
| AMENDMENT | Original Start Date: | 7/14/2022 | 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: | | Alpha Analytical, Inc, Westborough, MA | |
| Brief Description of Goods/Services/Grant: | | PFAS Sampling and Analysis of Publicly Owned Wastewater Treatment Facilities funded under MJRP Business Case S.69.1 | |

| 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 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.

The DEP administers the Wastewater Construction Grant Program (CG) as authorized under MRS Title 38, Ch. 3, §411 and §412, that is funded through periodic bond issues approved by voters and in this case by the American Recovery and Reinvestment Act (ARPA). This program is essential to the Department's responsibilities to protect and improve the waters of the State, as mandated by Maine statute.

Per and PolyFluoralkyl substances (PFAS) have been identified as contaminants that need further investigation. This contract will provide retrieval and analysis services of effluent samples in and around publicly owned Wastewater Treatment Facilities to aid in the investigative process.

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

These grants are given to municipalities or quasi-municipal organizations for projects for planning and/or construction of pollution abatement projects to protect and improve the waters of the State, as authorized under MRS Title 38, Ch. 3, §411 and §412. The facilities around the State need to address the issue of PFAS contamination, which begins with assessing the current situation. As a pre-approved lab, the Vendor is singularly qualified to accomplish the analysis needed to begin this PFAS assessment process.

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

Prior to executing the contract, costs were negotiated by the Department directly with the Vendor as they are uniquely qualified to complete the work. ARPA funds have been set aside to begin this investigative process, which is an important component of the Department's mandate.

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

For this contract, there are no subcontractors whose costs were not already considered within the quote from the Vendor. The scope of work is limited to that which is proposed in the contract and referenced documents. No additional costs are anticipated beyond what is currently included in the contract. If additional services are necessary at the conclusion of this contract, the Department will query other pre-approved labs as to whether they are able to execute the services required. If it is determined that the Vendor is still the only uniquely qualified laboratory, the costs will be renegotiated at that time.

PART IV: AMERICAN RESCUE PLAN ACT (ARPA) / MAINE JOBS & RECOVERY PLAN (MJRP)



Does this request utilize ARPA/MJRP funds?

Yes – If Yes, please attach the approved Business Case(s).

No – If No, proceed to Part V.

PART V: APPROVALS

The signatures below indicate approval of this procurement request.

| | | | |
|--|---|-------|---------------------|
| Signature of requesting Department's Commissioner (or designee): |  | | |
| Typed Name: | Melanie Loyzim, Commissioner | Date: | Jun 20, 2023 |
| Signature of DAFS Procurement Official: | Digitally signed by:  | | |
| Typed Name: | Kathy Paquette | Date: | 6/22/2023 |