

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:		Secretary of State – Division of Elections		
Department Contract Administrator or Grant Coordinator:		Julie L. Flynn, Deputy Secretary of State		
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 618,824	Advantage CT / RQS #:	29A 20121005*1487	
CONTRACT	Proposed Start Date:	8/1/20	Proposed End Date:	6/30/21
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:		Election Systems & Software, LLC 11208 John Galt Blvd., Omaha, NE 68137		
Brief Description of Goods/Services/Grant:		Extend the lease for precinct ballot scanning/tabulating units provided to municipalities for use at their voting places and lease a high-speed scanner to use for the Ranked-choice Voting (RCV) central count.		

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.	

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PART III: SUPPLEMENTAL INFORMATION

This is an eleven-month extension (for the remainder of FY21) of the previous contract for the State to lease precinct ballot scanning/tabulating units provided to towns with more than 1,000 voters; to provide units to new municipalities with fewer than 1,000 voters; and to lease a central count scanner for the Elections Division to use for conducting the Ranked-choice Voting central count.

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

The Department had a contract with Election Systems & Software, LLC, which was selected after a competitive bid issued in the Summer of 2012. The original bid allowed for a 5-year term plus a 2-year extension, which expired on 12/31/19. The Department has been working on an RFP for a new ballot scanning and tabulating system, which it hoped to issue in late 2019. However, the timing of the new Presidential Primary Election on 3/3/2020 and State Primary Election on 6/9/2020 (and moved to 7/14/20 due to the COVID-19 pandemic), made it impossible to procure and implement new equipment and software efficiently and securely for the 2020 elections, including the November 3rd Presidential General Election. We executed a 6-month extension followed by a 1-month extension to this agreement to get us through the Presidential Primary and State Primary elections. At this time, we believe it is necessary to extend the existing tabulation system lease for 11-months (the remainder of the fiscal year), so that the State and municipalities can use the familiar software and hardware for the upcoming Presidential General Election.

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

The initial cost for the first 400 units was at \$589/year. Additional units were added to the lease in years 2-5 at a higher annual cost due to the lesser number of years of the lease while still equaling the total cost of the original units. We negotiated a single rate for this extension of \$614, so that we wouldn't have different groups of units at different annual costs. The 210 additional units that we are adding for this extension, to provide to municipalities between 700 and 1000 voters, are at a rate that is competitive with the single-year leasing/rental cost charged to other customers.

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

The Department expects to issue an RFP to lease a new ballot scanning and tabulating system in January of 2021 and select and contract for the new system by July 1, 2021.

PART IV: APPROVALS

Signature of requesting Department's Commissioner (or designee):	<i>By signing below, I signify that I approve of this procurement request.</i>		
Printed Name:	<i>Julie L. Flynn</i> Julie L. Flynn	Date:	7-28-20
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small> <i>Laurie Andre</i>		
Printed Name:	<small>A4D4AF6018C54EC</small> Laurie Andre	Date:	7/29/2020