

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 Branch		
Department Contract Administrator or Grant Coordinator:		Peter Schleck		
(If applicable) Department Reference #:				
Amount: (Contract/Amendment/Grant)	\$ 79,893.72	Advantage CT / RQS #:	20200727*0285	
CONTRACT	Proposed Start Date:	August 1, 2020	Proposed End Date:	July 31, 2025
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:		Thompson Reuters (dba West Publishing Company 610 Opperman Drive P.O. Box 64833 St. Paul, MN 55164-1803		
Brief Description of Goods/Services/Grant:		Annual Subscription to Maine Family Law Statute Books		

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

The judicial officers and staff of the Maine Judicial Branch require accurate copies of the Maine Family Law Statutes to ensure that Maine courts apply current and correct law in relevant cases before them. Having a publication devoted to the Family Law statutes, in one volume, in print form, facilitates this, with ease of reference on the bench or in chambers. Thomson Reuters (dba West Publishing Company) is the only publisher that publishes these statutes in cooperation with Maine's Revisor of Statutes.

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

No office of state government publishes printed copies of the statutes. Maine's Revisor of Statutes maintains a website with the statutes (legislature.maine.gov/ros) but publishes a warning that it does not "warrant accuracy, reliability, completeness or timeliness" of the information it publishes. The Maine Judicial Branch has noticed errors in the online statutes maintained by the Revisor. West receives information directly from the Revisor's Office and carefully checks the material it publishes for accuracy.

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

The price for the first year of the contract is 3% higher than the rate the Maine Judicial Branch paid for an identical subscription the previous year. The increases each year, under the contract, are approximately 3%.

In the general market for legal publications, prices increase 5% to 10% per year.

The prices that the Maine Judicial Branch is paying under this contract are at least about half of the published retail prices that West charges for the materials.

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

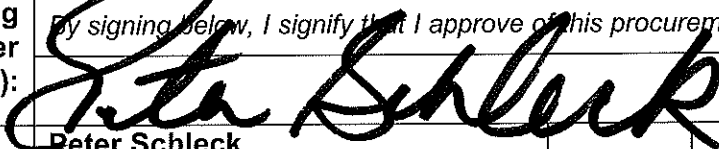
It is unlikely that any competition will develop in the future for this product. Most lawyers and firms purchase electronic legal research services and do not maintain print subscriptions, making it unlikely that any new publishers will enter the very small market for publication of the statutes, including the Family Law statutes. This is especially true given the enormous amount of work that goes into compiling, editing, checking, and printing the Maine Revised Statutes overall, including those related to Family Law. West, having published the statutes for many decades, is required only to update the statutes each year, but a new publisher would have to start from scratch. In short, there is not enough of a likelihood of a profit for any company to invest the large amount of resources that would be required to publish a new version of the statutes, including those devoted to Family Law.

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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:	Peter Schleck Manager of Operations Penobscot County Courts Maine Judicial Branch	Date: 6.25.2020
Signature of DAFS Procurement Official:	<small>Digitally signed by:</small> <i>William J.E. Allen</i>	
Printed Name:	william J.E. Allen	Date: 7/29/2020

NOI 072020692
07/29/2020 -
08/04/2020