

**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:		Marine Resource/Marine Mammal Research	
Department Contract Administrator or Grant Coordinator:		Erin Summers	
(If applicable) Department Reference #:		N/A	
Amount: (Contract/Amendment/Grant)		\$ 322,257	Advantage <u>CT</u> / RQS #: 13A 20240628000000003830
CONTRACT	Proposed Start Date:	7/1/2024	Proposed End Date: 6/30/2025
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:		Bigelow Laboratory for Ocean Science East Boothbay, Maine	
Brief Description of Goods/Services/Grant:		Hire staff to conduct data analysis, modeling, and forecasting work needed by DMR to inform research and policy related to the management of the lobster fishery and North Atlantic right whales.	

**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
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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 purpose of this Contract is to create a partnership called "The Bigelow-DMR Data and Modeling Collaborative" to be housed within the Tandy Center for Ocean Forecasting at Bigelow Laboratory. This partnership will establish a data science team that can meet the growing data analysis and modeling needs of DMR and solidify collaborations between these two groups to meet that demand. The data / modeling team funded through this program will have two main objectives: (1) liaise between research and management groups at Bigelow and DMR to coordinate communication and projects, and (2) produce data analysis, modeling, and forecasting products that leverage the expertise and science resources of the two organizations and meet their data science needs. The first priorities to be addressed will be modeling initiatives to inform management of entanglement risk for North Atlantic right whales.

Initial areas of work will include the following:

- Developing nearshore models of North Atlantic right whales in the Gulf of Maine using available data sources, including but not limited to opportunistic sightings, passive acoustic detections, line transect data, and calanus distribution. This will be combined with fishing effort data to identify areas of overlap between right whales and the lobster fishery.
- Develop analyses and models that can use fine scale processes to forecast areas of right whale habitat use to inform monitoring efforts.

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

The selected vendor is an established expert in the field of data science and forecasting specifically in regard to North Atlantic right whales and their habitat use in the Gulf of Maine. Bigelow scientists associated with the Tandy Center for Ocean Forecasting have many scientific publications directly applicable to the work that DMR needs to be done through this contract. Additionally, DMR and Bigelow already have other related collaborative projects that this contract will build from, including the development of spatial right whale prey layers that will be used in the modeling work proposed here. No other entity has this direct expertise. Additionally, the Director of the Tandy Center for Ocean Forecasting at Bigelow, Nick Record, has a unique and extensive knowledge of the management and regulatory needs that the science projects proposed here will inform. Dr. Record is a member of the Atlantic Large Whale Take Reduction Team, representing the science community on the right whale and lobster fishery entanglement issue for Maine.

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

Bigelow developed a Scope of Work and related budget based on DMR's needs and timeframes for conducting this work, which includes hiring two new personnel. The Scope of Work and budget use negotiated indirect rates and benefits packages, etc. for the staff that will be hired.

**PART III: SUPPLEMENTAL INFORMATION****4. Describe the plan for future competition for the goods or services.**

The contract is being done with Bigelow on an annual basis. Funding for year beyond Year 1 of the project will be allocated based on availability of funds to DMR and progress on the project priorities and deliverables. If sufficient progress has not been made then subsequent years could be awarded to other vendors through a competitive grant process. There is a timeline associated with this work. Analyses need to be completed within the next couple of years to be included in the lobster management process, so there may not be sufficient time for a full competitive process.

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

Does this request utilize ARPA/MJRP funds?

- Yes, MJRP funds (023) – If Yes, please attach the approved Business Case(s).
- Yes, ARPA funds (025) – If Yes, please be aware of the requirements from awarding federal agencies.
- No – If No, proceed to Part V.

**PART V: CONFLICTS OF INTEREST (COI); CONTRACT WITH THE STATE**

*Maine law contains Conflict of Interest statutes directed to State Departments, State Officers, and Employees Generally under MRS Title 5, §18 and §18-A, in harmony with MRS Title 17, §3104.*

- The requesting department signatory understands and acknowledges Maine's Conflict of Interest statutes.

**PART VI: APPROVALS**

The signatures below indicate approval of this procurement request.

Signature of requesting Department's Commissioner (or designee):			
Typed Name:	Patrick Keliher, Commissioner	Date:	7/16/24
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small>  <small>891CE7A1493D45B...</small>		
Typed Name:	Martha verhille	Date:	7/25/2024