



## 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 Resources/Marine Mammal Research		
Department Contract Administrator or Grant Coordinator:		Erin Summers/Amanda Webb		
(If applicable) Department Reference #:		N/A		
Amount: (Contract/Amendment/Grant)		\$ 47,209	Advantage <u>CT</u> / RQS #:	13A 20240724000000000176
CONTRACT	Proposed Start Date:	8/18/2024	Proposed End Date:	9/30/2024
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:		Buckeye Scalloping Company, LLC 113 MacArthur Dr. New Bedford, MA 02740		
Brief Description of Goods/Services/Grant:		Vendor is providing vessel and crew services to attempt to retrieve 10 lost sound trap moorings.		

## 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 F/V Buckeye is being contracted to provide vessel and crew support for a multi-day (up to 5 days), overnight offshore cruise during which DMR staff will attempt to retrieve previously lost and unrecovered passive acoustic monitoring (PAM) moorings for North Atlantic right whale (NARW) research. This research is a high priority task for DMR because the data will provide critical information about the presence of NARWs in the Gulf of Maine (GoM). Retrieving these lost PAM moorings will ensure that there are no gaps in the time series dataset that is being generated and is a high priority for the Division. This information will support the development of regulations that reduce the risk of NARW entanglement in fishing gear. The F/V Buckeye is provided with a captain and crew as well as enough fuel to safely grapple for 10 lost moorings at 9 different sites in the GoM. The vessel also provides a large deck space for storing numerous PAM moorings plus anchors, and enclosed workspaces for servicing PAM equipment. Given these PAM sites occur over such a large area (16,150 sq. miles) in the GoM, this work constitutes a unique task for DMR as overnight multi-day cruises are required to complete the work, during which DMR staff will remain aboard the vessel for multiple days and nights. For this reason, the F/V Buckeye is uniquely suited for an enclosed area that also includes multiple berths (sleeping accommodations), heads (bathrooms), and a galley (kitchen) and is a fast vessel to get between sites.

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

As stated above, this vessel provides the necessary deck space, berths for overnight cruises, vessel speed, and crew with knowledge and experience both servicing and retrieving PAM mooring equipment. Additionally, the F/V Buckeye will be equipped with a custom-made grappling system with 11 separate grapples attached to a drag to ensure that the equipment can be found quickly on the bottom and brought up to the surface. The system was created by this fishing company. It has been tested on other similar cruises in Southern New England and they were successful at retrieving lost moorings on the first or second try. No other vessels are outfitted with this type of system and it is absolutely necessary for the success of the gear retrieval effort. A picture of the custom grappling system is attached to the end of this document. The custom grappling system and the experience of the crew is unique to this vendor and necessary for the success of the gear retrievals.

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

The negotiated costs are based on the quoted amount from Buckeye Scalloping Company, LLC which is the sole provider of the vessel support needed for PAM cruises. The quoted costs are fair and reasonable given the F/V Buckeye specifications as well as the captain and crew's unique expertise in retrieving/deploying PAM moorings, which ensures DMR staff will safely and successfully accomplish the retrieval/deployment of our PAM moorings.

**PART III: SUPPLEMENTAL INFORMATION**

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

Until a similar provider for vessel support for DMR's PAM work can be identified, Buckeye Scalloping Company, LLC is the sole provider for the multi-day offshore PAM lost mooring retrieval cruises, which is the type of vessel, custom gear, and crew support required for this work.

**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:	7/29/24
Signature of DAFS Procurement Official:	DocuSigned by:  891CE7A1493D45B...		
Typed Name:	Martha verhille	Date:	8/6/2024