



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
Table with 4 columns: Department Office/Division/Program, Department Contract Administrator or Grant Coordinator, (If applicable) Department Reference #, Amount, Advantage CT / RQS #, RQS 29A, CONTRACT, Proposed Start Date, Proposed End Date, 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, Brief Description of Goods/Services/Grant.

PART II: JUSTIFICATION FOR VENDOR SELECTION
Check the box below for the justification(s) that applies to this request. (Check all that apply.)
Table with 4 columns: A. Competitive Process, B. Amendment, C. Single Source/Unique Vendor, D. Proprietary/Copyright/Patents, E. Emergency, F. University Cooperative Project, G. Grant, H. State Statute/Agency Directed, I. Federal Agency Directed, J. Willing and Qualified, K. Client Choice, 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 Secretary of State/ Bureau of Corporations, Elections & Commissions is charged by law with centrally printing and distributing to municipalities the ballots for state elections. This printing job is for official and sample ballots for the 11/05/24 Referendum Election.

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

As part of its continuing efforts to meet federal and state responsibilities for conducting elections, the Bureau issued a voting systems and software RFP in 2012 which resulted in a 7-year leasing agreement with ES&S which has been extended through June 30, 2025. In entering the agreement with ES&S, the Bureau understood it would be required to utilize the vendor's services (or those of a partner printer authorized by the vendor) to print ballots that work with its proprietary system. While this was not formally part of the RFP scoring, the potential additional cost was considered in evaluating the proposal and it was determined that even with the dedicated printing costs, the lease agreement still offered significant savings over the next lowest bidder.

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

As noted in item 2, an RFP to lease elections equipment was issued and awarded. In evaluating responses prior to award, current printing and related costs were given consideration but the bidder not chosen was so much higher in cost (excess of \$2,400,000) that there was no chance of the sole source printing costs exceeding that amount or likely approaching it. Moreover, the per ballot printing costs have decreased under this lease agreement as compared to previous systems used, since the Bureau is leasing the ballot creation software and provides camera-ready ballot copy to the printer.

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

The Bureau's lease agreement for the voting system software expires on June 30, 2025. The Bureau is working on an RFP to select the tabulation equipment and software to be used in future elections. Ballot printing will be specifically addressed as part of the RFP

### 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.


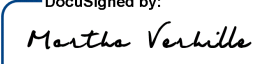
**PART V: CONFLICTS OF INTEREST (COI); CONTRACT WITH THE STATE**

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:	Julie L. Flynn	Date:	8-15-2024
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small>  <small>891CE7A1493D45B...</small>		
Typed Name:	Martha verhille	Date:	8/16/2024