

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.

PART I: OVERVIEW				
Department Office/Division/Program:		DHHS/MeCDC HETL		
Department Contract Administrator or Grant Coordinator:		Chris Moiles		
(If applicable) Department Reference #:		CD0-21-54SA22		
Amount: (Contract/Amendment/Grant)	\$36,185.04	Advantage CT / RQS #:	Draft RQS 10A 20200709*0029	
CONTRACT	Proposed Start Date:	08/28/2020	Proposed End Date:	08/27/2021
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:		Agilent Technologies, Inc. 2850 Centerville Road Wilmington, DE 19808		
Brief Description of Goods/Services/Grant:		Maintenance Agreement for four GC/MS analyzers used to determine the presence or absence of drugs in seized drugs and suspected OUI cases submitted by law enforcement.		

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.
This maintenance agreement is for four GC/MS instruments used by HETL to determine the presence of drugs in seized drugs samples and toxicological samples from persons suspected of OUI. This maintenance agreement ensures the instruments are in working order and provides immediate service should the instrument not be in proper working order. The laboratory determined this service to be critical due to the nature of the work and the statutory (MRS 29-A and MRS 17-A) and accreditation requirements (ANAB) that qualify system and analytical instrumentation used in the analysis of forensic samples meet the standards established by ANAB.

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PART III: SUPPLEMENTAL INFORMATION

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

The instruments covered under this maintenance agreement are highly advanced analytical instruments. The GC/MS has advanced electronic and computer components that require specific training and experience to maintain and repair by the original manufacturer of the instrument, Agilent. Agilent is also the manufacturer of the analysis software, which is also covered under this maintenance agreement, and will be available for any software assistance and troubleshooting. Immediate service for instruments is required by HETL to ensure there is no downtime while processing casework samples. Agilent has historically proven to be able to provide immediate service within a day or two of a service call, which prevents casework from being delayed and a backlog from forming as a result of a down instrument. These instruments provide the only test for drug confirmation in the HETL laboratory and are required to complete each case submitted to the laboratory. Any time delay in repairs caused by the use of an alternate, third party vendor would prevent case work from being completed and the creation of a backlog in both the seized drug and toxicology section. HETL has worked with Agilent on these instruments for the last 20+ years and continues to experience excellent customer support.

HETL had a service contract with a different vendor for another instrument and had to wait weeks for a repair to be coordinated with a third-party vendor, and additional time for the repair to be made on the instrument. This type of delay is unacceptable and will create multiple issues in all sections of the HETL Forensic Section.

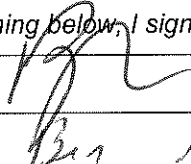
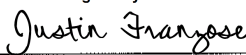
3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The company will come up and do preventive maintenance (PM) annually on all four instruments, any required repairs of the instrument and supply parts that need to be replaced through wear, and any software updates or troubleshooting. Service vendors are routinely at the laboratory multiple times a year troubleshooting and performing repairs, as well as available at all operating hours via phone for support. This type of availability is crucial to maintaining sample processing and preventing testing delays.

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

It is imperative the maintenance of instruments used in the laboratory to acquire data be conducted by a representative familiar with the system product, applications and software. Currently these four GC/MS instruments used for all drug testing are Agilent systems, and therefore need to be serviced by qualified Agilent representatives.

PART IV: APPROVALS

Signature of requesting Department's Commissioner (or designee):	By signing below, I signify that I approve of this procurement request.		
			
Printed Name:	Ben Munro	Date:	7/9/20
Signature of DAFS Procurement Official:	DocuSigned by: 		
Printed Name:	AEED9C7B3A8044E... Justin Franzose	Date:	9/14/2020