



DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

# DIVISION OF PROCUREMENT SERVICES

STATE OF MAINE

## 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:		Secretary of State/ Bureau of Corporations, Elections & Commissions (CEC)	
Department Contract Administrator or Grant Coordinator:		Julie L. Flynn	
(If applicable) Department Reference #:		N/A	
Amount: (Contract/Amendment/Grant)	\$ 512,100.00	Advantage CT / RQS #:	RQS 29A 20220908*0320
CONTRACT	Proposed Start Date:	9/2/2022	Proposed End Date: 11/8/2022
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:		Election Systems & Software (ES&S) 11208 John Galt Blvd, Omaha, NE 68137	
Brief Description of Goods/Services/Grant:		Printing, packaging and delivery of official ballots for 11/08/22 General Election.	

## 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 checked="" type="checkbox"/>	E. Emergency	<input type="checkbox"/>	K. Client Choice
<input type="checkbox"/>	F. University Cooperative Project	<input type="checkbox"/>	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 general election on 11/08/22.

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, 2023. 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 the 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.

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, 2023. The Bureau may seek to extend its lease agreement until the voting systems vendors have manufactured and received federal certification for new equipment that meets the new Voluntary Voting System Guidelines (VVSG 2.0) promulgated by the US Elections Assistance Commission.



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

Does this request utilize ARPA/MJRP funds?

Yes – If Yes, please attach the approved Business Case(s).

No – If No, proceed to Part V.

### PART V: APPROVALS

The signatures below indicate approval of this procurement request:			
Signature of requesting Department's Commissioner (or designee):			
Typed Name:	Julie L. Flynn, Deputy Secretary of State	Date:	8/26/2022
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small> 		
Typed Name:	<small>41C2BA36FAF44CD...</small> Kathy Paquette	Date:	9/16/2022