



DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
OFFICE OF STATE PROCUREMENT SERVICES
STATE OF MAINE

PROCUREMENT JUSTIFICATION FORM (PJF)

This form must accompany all contract requests and sole source requisitions (RQS) over \$10,000 submitted to the Office of State 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 Procurement Services intranet site (Forms page) for additional instructions.

PART I: OVERVIEW				
Department Office/Division/Program:		ACF/Agricultural Resource Development/TEFAP		
Department Contract Administrator or Grant Coordinator:		Gustav Nelson		
(If applicable) Department Reference #:				
Agency Department Code:	01A	Advantage CT / RQS #:	3 contracts; see below	
Amount: (Contract/Amendment/Grant)		\$ 202,000.00		
CONTRACT	Proposed/Original Start Date:	10/1/2023	Proposed/Most Recent End Date:	9/30/2026
AMENDMENT	New Effective Date:	9/30/2026	New End Date (if Applicable):	9/30/2027
GRANT	Project Start Date:		Grant Start Date:	
	Project End Date:		Grant End Date:	
Vendor/Provider/Grantee Name, City, State:		See below		
Brief Description of Goods/Services/Grant:		Facilitate the storage of USDA foods for TEFAP, collect inventory data, distribute USDA foods statewide to over 240 ending hunger organizations, and support in communicating with and monitoring recipient agencies.		

PART II: JUSTIFICATION FOR VENDOR SELECTION			
Check the box below for the justification(s) that applies to this request. (Check all that apply.)			
☐	A. Competitive Process	☐	G. Grant
☒	B. Amendment	☐	H. State Statute/Agency Directed
☒	C. Single Source/Unique Vendor	☐	I. Federal Agency Directed
☐	D. Proprietary/Copyright/Patents	☐	J. Willing and Qualified

☐	E. Emergency	☐	K. Client Choice
☐	F. Higher Education Cooperative Project	☐	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 USDA requires Maine to administer the Emergency Food Assistance Program (TEFAP). The program provides free, 100% American-grown USDA foods to low-income individuals and families. USDA purchases a variety of USDA foods and makes those foods available to state distributing agencies. In Maine, that state agency is DACF/ARD/TEFAP. Maine TEFAP has grown over the last few years, creating a larger need to efficiently facilitate the program. With a staff of three, the DACF/ARD/TEFAP office does not have the capacity or the statewide infrastructure to provide the services required by this program. The program's immediate and ongoing needs include larger storage for both dry and frozen USDA foods; a fleet of trucks and network to distribute USDA foods statewide; field representatives to conduct inspections of non-profits and conduct allocations statewide; data collection and inventory reporting; ability to initiate recalls; regional meetings with ending hunger organizations to conduct training on food safety, civil rights, and best practices; and emergency response capabilities. Good Shepherd Food Bank, Catholic Charities of Maine, and Wayside Food Programs do have the capacity to fulfill those needs. State agencies also receive administrative funds to support the storage and distribution of USDA Foods. These funds must, in part, be passed down to local agencies. The program is authorized by the Emergency Food Assistance Act of 1983 and the Food and Nutrition Act of 2008. Federal TEFAP regulations can be found at 7 CFR Parts 250 and 251.	
2. Provide a brief justification for the selected vendor to supplement the response in Part II. Reference the solicitation (RFP/RFA/RFQ) number if applicable. The Providers are unique vendors in that they are the only charitable organizations with the capacity in their covered service areas to provide physical and administrative services. What also makes them unique is their established statewide and regional networks, food-distribution infrastructure, participant relationships and fundraising to make up for uncompensated costs, volunteer engagement and recruitment, and ability to administer eligibility and participant records. Recent government cuts have hit the charitable feeding network particularly hard. The Department's knowledge of other organizations operating in these regions through the charitable feeding network has indicated that no other viable options are available that have the capacity to perform the work.	
3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee. Costs are based on current costs associated with scheduling deliveries, unloading trucks, inspecting shipments, documenting receipts, dry/frozen/fresh food storage, distribution, inventory controls, and communication to the food pantries and community kitchens. Each of the three providers/vendors plays a distinct and essential role in ensuring USDA Foods reach those who need them. Wayside Food Programs hosts distributions and makes allocation decisions for 32 TEFAP subrecipient agencies. Additionally, their network serves more pantries and thus is allotted more funds than CCM. CCM hosts distributions and doesn't allocate, but they do deliver to their 27 TEFAP sub recipient partners. GSFB houses and maintains our Recipient Agency Agreements and performs monitoring visits for 225 TEFAP agencies, while offering	

PART III: SUPPLEMENTAL INFORMATION

ordering support for 250 TEFAP agencies. GSFB delivers to Wayside, CCM, and all other 190 subrecipient agencies. The initial contract amounts reflect these differences, and remaining funds, when available, follow our allocation formula: CCM 7.89%, Wayside 8.42%, and GSFB 83.68%, with marginal adjustments for rounding. The differences between the Providers are both qualitative and quantitative. In developing this formula, the Department considered service volume, storage/distribution responsibilities, recipient agencies served, monitoring responsibilities, and projected program activity. The Department has concluded that this approach is fair, reasonable, and efficient. The Department only provides federal funding for the contractors, not State of Maine funding.

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

We do not anticipate fostering competition for this work, which is a social service. The contracts are based on the regions the respective agencies serve. The vendors collaborate amongst themselves to ensure the work is completed effectively and efficiently. The funding for the program and the amount of food available are both variable, so the participating vendors must have the capacity to weather these fluctuations. We are dependent on the vendors to conduct the work, and they do not materially benefit. The Department does not currently anticipate conducting an RFP/RFA for these services because TEFAP relies on established organizations with the logistical/warehousing infrastructure, food-distribution capacity, and hunger-relief network expertise necessary to administer the program locally. The participating providers perform these services within their established regions under a funding structure that does not fully compensate them for all program costs. Prior to any future extension or new contract period, the Department will review whether additional viable providers have become available within the applicable service regions. If qualified alternatives are identified, the Department will consult with OSPS regarding the appropriate competitive procurement 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) or (026) – 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's signatory affirms, understands, and acknowledges Maine's Conflict of Interest statutes and, in accordance with those statutes and to the best of their knowledge, has determined that no conflict of interest exists at the time of this contract, renewal, or amendment.

PART VI: APPROVALS

Governor/Department Commissioner or Designee

1. The signature below indicates approval of this procurement request.

Signature of requesting
Department's Commissioner
(or designee):

DocuSigned by:

Nancy McBrady

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Typed Name: Nancy McBrady

Date: 9/23/2026

2. Additional signature required **ONLY if box E (Emergency) is selected in PART II.** The signature below indicates approval by the Department's Commissioner, or the designee specifically authorized to approve emergency procurement requests.Signature of requesting
Department's Commissioner
(or designee):

Typed Name:

Date:

****OSPS Section Only****Signature of DAFS
Procurement Official:

Typed Name:

Date:

Total Amendment Amount - FFY26 Remaining Funds + FFY27 Estimated Funding

Vendor	City/State	VC/VS	Amount	CT 01A
Catholic Charities Maine	Portland, ME	VC1000013799	\$10,684.00	CT 01A 20230918*0774
Wayside Food Programs	Portland, ME	VC1000095659	\$12,864.00	CT 01A20230914*0759
Good Shepherd Food Bank	Auburn, ME	VC1000033509	178,452.00	CT 01A20230912*0723
			\$202,000.00	