

# 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.

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 website (Forms page) for additional instructions.

## PART I: OVERVIEW

Department Office/Division/Program:		Department of Public Safety, Bureau of Highway Safety		
Department Contract Administrator or Grant Coordinator:		Jaime L. Pelotte, Sr. Contract Grant Specialist		
(If applicable) Department Reference #:		N/A		
Amount: (Contract/Amendment/Grant)	\$52,920.00	Advantage CT / RQS #:	CT 16A 20211019*1047	
CONTRACT	Proposed Start Date:	11/01/2021	Proposed End Date:	03/31/2022
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:		National Medical Services (NMS) 200 Welsh Road Horsham, PA 19044		
Brief Description of Goods/Services/Grant:		Forensic Testing		

## 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
<b>X</b>	C. Single Source/Unique Vendor		I. Federal Agency Directed
	D. Proprietary/Copyright/Patents		J. Willing and Qualified
<b>X</b>	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.**

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## PART III: SUPPLEMENTAL INFORMATION

Under Maine law Title 29-A §2521 Implied consent to chemical tests 1. Mandatory submission to test. *If there is probable cause to believe a person has operated a motor vehicle while under the influence of intoxicants, that person shall submit to and complete a test to determine an alcohol level and the presence of a drug or drug metabolite by analysis of blood, breath or urine.*

- Due to an extended staffing vacancy at DHHS-Maine Health and Environmental Testing Lab (HETL) there is a current backlog of chemical tests. The current backlog is urine samples needing drug presence testing for evidentiary purposes. The testing of specific drugs in urine samples is time sensitive. This timeline depends, in part, upon storage space and conditions. The laboratory is unable to meet these storage conditions with the current sample volume (and incoming samples).

Under Maine law Title 29-A §2453 A (1) A (B). *To provide maximum safety for all persons who travel on or otherwise use the public ways; and to remove quickly from public ways those persons who have shown themselves to be a safety hazard by operating a motor vehicle while under the influence of drugs.*

- Bureau of Motor Vehicles (BMV) suspends a driver's license based on a report from law enforcement that the driver operated under the influence of a drug. This happens independently of any criminal process, and in most cases happens before the driver goes to court on a criminal charge for the same conduct. In order to suspend a license, BMV must have both a police report **and** a certified drug test result in order to suspend license.

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

- NMS has been the selected laboratory to perform this backlog testing since they fall under the statute for testing by being licensed by the Pennsylvania Department of Health and Clinical Laboratory Improvement Amendments (CLIA).
- NMS is certified by American National Accreditation Board (ANAB) showing the high quality of testing the laboratory performs.
- There is no laboratory, other than HETL, in the State of Maine that can meet the legal certification requirement for confirmatory drug testing.

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

The cost has been negotiated and is deemed to be fair and reasonable.

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

The testing of specific drugs in urine samples can be time sensitive.

Law enforcement officers are required to submit OUI reports to the BMV within 72 hours of the offense. For BMV to suspend a license, BMV must have both a police report **and** a certified drug test result.

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### PART IV: APPROVALS

<b>Signature of requesting Department's Commissioner (or designee):</b>	<i>By signing below, I signify that I approve of this procurement request.</i>		
	<i>Michael Sauschuck</i>		
<b>Printed Name:</b>	Michael J. Sauschuck, Commissioner	<b>Date:</b>	10/19/21
<b>Signature of DAFS Procurement Official:</b>	<i>Kathy Paquette</i>		
<b>Printed Name:</b>	Kathy Paquette	<b>Date:</b>	10/21/2021






# NMS PJF

Final Audit Report

2021-10-19

Created:	2021-10-19
By:	Lauren Stewart (lauren.v.stewart@maine.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAaSXnerc1E-rfHptw2sYeOdQMhfMteWID

## "NMS PJF" History

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