



## PROCUREMENT JUSTIFICATION FORM (PJF)

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 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:	DEP, Division of Air Quality Assessment, Lab and QA Section		
Department Contract Administrator or Grant Coordinator:	Andrea Galasyn		
(If applicable) Department Reference #:	013-06A-2100-13-5606-ALAB-FY2124PPG		
Amount: (Contract/Amendment/Grant)	\$ 6,431	Advantage CT / RQS #:	RQS #20240923*453
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:	Linde Gas & Equipment Inc, Palatine IL		
Brief Description of Goods/Services/Grant:	VOC gas mixture used for primary calibration standard checks for the Air Laboratory GCMS required for analysis of VOCs in air by EPA method TO-15.		

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 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 ME DEP Air Laboratory provides ambient air analysis for volatile organic compounds (VOCs) using a gas chromatograph/mass spectrometer (GCMS) by EPA Method TO-15 in support of the Monitoring Sections Hazardous Air Pollutant (HAPs) network. When time and resources allow, the laboratory also participates in special studies such as the ecomaine Pharmaceutical Study in 2013, Long Island Sound Tropospheric Ozone Study (LISTOS) in 2017 and 2018, and currently the partnership with the cities of South Portland and Portland to help determine the air quality throughout the city.

The GCMS must be periodically calibrated for each VOC using laboratory prepared gaseous calibration mixtures. The mixtures are prepared by serial dilution of NIST certified primary calibration standards purchased from select vendors. Due to the unstable nature of VOC's, primary calibration standards expire after one year and have to be purchased routinely. Prices of the primary calibration standards have been slowly increasing year to year.

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

The Air Laboratory has been purchasing specialty gaseous mixtures from Linde for many years. The gases purchased from Linde have always been of good quality and analytical accuracy. Both are extremely important when analyzing VOC's at trace levels.

The current gas mixtures used in the Air Laboratory will expire on 10/27/24. All data collected after the expiration of calibration standards will need to be qualified as such when reporting to EPA. Prolonged qualification of data could jeopardize our grant allotments received from EPA to do hazardous air pollutant analysis.

Additionally, the laboratory is required to confirm the calibration accuracy with a secondary source purchased from a vendor independent of the calibration gas vendor. The secondary source currently used is manufactured by Airgas so we cannot also purchase the primary calibration standard from Airgas. MaineOxy sources it's specialty gaseous mixtures from Linde as well and the price quoted in February 2023 was \$6765.00 which is above the update cost Linde has quoted for this year.

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

We have always found Linde to be competitively priced within the industry. In 2021 the price quoted was about \$5,000 for the first time however we were able to work with the Linde sales representative and negotiated a price of only \$4,800. Unfortunately, since then, Linde is unable to keep the price below \$5,000 due to increased costs and inflation. The cost of the same cylinder in 2023 was \$5,959. The current quote is still below the quoted cost by MaineOxy last year.

**PART III: SUPPLEMENTAL INFORMATION**

As mentioned above, MaineOxy also sources specialty gaseous mixtures through Linde and quoted a price of \$6765 in February 2023

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

The Air Laboratory currently has two GCMS systems that are calibrated weekly. The specialty gas mixture is required for calibration however due to the unstable nature of VOC's, the mixture must be replaced annually. This will continue to be the case unless a VOC mixture with longer stability is developed.

**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:	David R. Madore for Melanie Loyzim	Date:	Sep 25, 2024
Signature of DAFS Procurement Official:	DocuSigned by:  BE7E88805EFD419...		

Typed Name:	Sherri Brooker	Date:	10/4/2024
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