



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 \$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:		Environmental Protection	
Department Contract Administrator or Grant Coordinator:		Victoria Eleftheriou	
(If applicable) Department Reference #:			
Amount: (Contract/Amendment/Grant)	\$ 549,410.01	Advantage CT / RQS #:	CT #20241009*0960
<b>CONTRACT</b>	Proposed Start Date:	10/7/2024	Proposed End Date: 2/7/2025
<b>AMENDMENT</b>	Original Start Date:		Effective Date:
	Previous End Date:		New End Date:
<b>GRANT</b>	Project Start Date:		Grant Start Date:
	Project End Date:		Grant End Date:
Vendor/Provider/Grantee Name, City, State:		Town of Orrington One Municipal Way Orrington, Maine 04474	
Brief Description of Goods/Services/Grant:		Implementation of a corrective action plan to transport and properly dispose of municipal solid waste originally generated by PERC and left at the Orrington incinerator to a properly licensed solid waste disposal facility.	

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
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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.

This project, which has dedicated funding from an already established environmental safekeeping account from a Department licensee, is for emergency corrective actions needed to transport and properly dispose of approximately 6,500 tons of PERC-generated municipal solid waste that has remained on the tipping floor at the Orrington incinerator since 2023 creating a potential threat to public health, welfare, safety, and the environment.

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

The Town of Orrington is the municipality in which the incinerator facility is located and has a vested interest in mitigating the potential threat to public health, welfare, safety, and the environment which has been caused by the municipal solid waste. The Town of Orrington will be contracting directly with vendors and providing oversight of this project. The Department will be reimbursing the Town only for agreed-upon services that include transportation and disposal of municipal solid waste. A memorandum of agreement has been established and signed which outlines these agreed-upon terms and conditions.

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

Funding for this project was allocated from Department-required and approved financial assurance from the Penobscot Energy Recovery Facility. The Department has held this funding in an environmental safekeeping account since July 2023, is a beneficiary of the financial assurance, and has a right to withdraw funds and use part or all of the funds in its discretion in order to carry out corrective action and all costs related thereto. State-related funding will not be used for this project.

Department staff have reviewed cost estimates and believe they are fair and reasonable in comparison to current typical costs for transportation and disposal. Tipping fees for landfill disposal are below average and the Department is requiring notification and approval if actual costs exceed 10% of estimated costs.

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

This project requires collaboration with the municipality in which the incineration facility is located. A corrective action plan has been established by the current owner of the facility and has been approved by the Department. A memorandum of agreement has been signed by the Department's

**PART III: SUPPLEMENTAL INFORMATION**

Commissioner and the Town Manager for the Town of Orrington which outlines the terms and provisions of the agreed-upon work. A competitive award is not appropriate for this work as the Town of Orrington, which is the municipality where the facility is located, will be contracting directly with vendors and providing oversight of this project. The Department will be reimbursing the Town only for agreed-upon services that include transportation and disposal of municipal solid waste left by PERC that has resulted in an ongoing fire and has created a threat to public health, welfare, safety, and the environment.

**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:	Melanie Loyzim	Date:	Oct 15, 2024
Signature of DAFS Procurement Official:			
Typed Name:	Michelle Fournier	Date:	10/17/2024