



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: | | Maine Judicial Branch | |
| Department Contract Administrator or Grant Coordinator: | | David Plourde | |
| (If applicable) Department Reference #: | | | |
| Amount: (Contract/Amendment/Grant) | \$ 8,000.00 | Advantage CT / RQS #: | 20241217*0875 |
| CONTRACT | Proposed Start Date: | 7/1/2024 | Proposed End Date: 9/30/2025 |
| 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: | | Atherton Electronic Technicians, Rochester, NH | |
| Brief Description of Goods/Services/Grant: | | Troubleshooting and repair Services for the "For the Record" (FTR6) systems while they are replaced with FTR7 systems. | |

| 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 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.

Per the Maine Rules of Court and Administrative Orders promulgated by the Chief Justice of the Supreme Court, court hearings are required to be electronically recorded to preserve the record for appeals to the Maine Supreme Court and to protect the rights of the parties. It is critical that the digital recording equipment and related hardware components be properly installed, serviced, and maintained, and that when problems arise, there be immediate access to specialized and highly skilled technicians. At this time, the vendor identified in this contract is the only vendor that we are aware of that understands both how the hardware and software work together to meet the demands of our courtrooms.

A technical services contract with the vendor will ensure the sophisticated electronic recording systems and the computers running the recording systems used by the courts function properly and in so doing will protect the access to justice rights of the parties.

The service contract provides court staff, located in courthouses across the state, the ability to routinely seek assistance from the vendor by phone, and when necessary, in person. If court staff knows they can freely use a technical resource, they are much more likely to take advantage of that resource. Doing so results in the proper upkeep of systems and ultimately reduces the frequency and severity of technical issues. Keeping technical equipment in a superior state of readiness is necessary for capturing a clear-sounding and accurately record; and ensures that the court can keep its tightly scheduled dockets moving smoothly.

This vendor did not know that his contract was up, and is refusing to continue work until the previous quarter's invoice has been paid. These services are necessary to the functions of the court.

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

The services the vendor will provide are unique, as are the needs of the Maine courts. The Maine Courts use a sophisticated software program-built for digitally electronically recording court proceedings known as For the Record (FTR). We are not aware of any other vendor that can provide these services never mind the fact that the services are required to be timely (so that the court's docket can proceed) and statewide.

AETechs has a detailed and extensive inventory of Maine's courtrooms and equipment; photos of each system, including location of the devices; knowledge of sound issues related to each courtroom; and knowledge and experience with the PA sound systems that complement the ER systems. They are uniquely qualified to troubleshoot problems over-the phone, and in person, given this knowledge as well as their knowledge of the capabilities and limitations of FTR. They are also willing to work within normal court hours, or outside of those hours, and have done, and will do "whatever it takes" to get the job done to the satisfaction of the Maine Courts. At this time, the vendor identified in this contract is the only entity that meets this need.

PART III: SUPPLEMENTAL INFORMATION

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

There is one other vendor we are aware of that provides one-year service contracts for FTR systems, Electronic Dictation systems (EDS). They quoted a *price* of \$495 per device, but also told the Judicial Branch that they are not interested in servicing FTR units in Maine. AE Techs has quotes a cheaper price per unit.

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

The MJB intends to utilize the existing MAs for these services upon replacing the existing systems with the FTR7 systems.

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

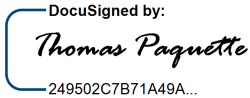
Maine law contains Conflict of Interest statutes directed to State Departments, State Officers, and Employees Generally under MRS [Title 5, §18](#) and [§18-A](#), in harmony with MRS [Title 17, §3104](#).

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: | Connor Smith | Date: | 12/17/2024 |

| | | | |
|--|---|-------|------------|
| Signature of DAFS Procurement Official: |  DocuSigned by: <i>Thomas Paquette</i> 249502C7B71A49A... | | |
| Typed Name: | Thomas Paquette | Date: | 12/19/2024 |