

**PROCUREMENT OFFICER'S DETERMINATION
INTERGOVERNMENTAL COOPERATIVE PURCHASING
CONTRACT NO. 219011-H
VOIP TELEPHONE EQUIPMENT**

I. EXECUTIVE SUMMARY

This Determination has been executed pursuant to COMAR 21.05.09, Intergovernmental Cooperative Purchasing, to procure VoIP (Voice over Internet Protocol) hardware, software and licenses for five years under an Intergovernmental Cooperative Purchasing Agreement of the Department of Information Technology (DOIT), Hardware 2012 Master Contract No. 060B1400048, from NEC Corporation of America (NEC) for the price of \$227,723.99.

II. PROPOSAL RECEIVED

<u>Offeror</u>	<u>Price</u>
NEC Corporation of America	\$227,723.99

III. BACKGROUND

On October 2, 2018, the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) issued a Purchase Order Request for Proposals (PORFP) to all seven master contractors under the DOIT Hardware contract to procure VoIP telecommunications equipment and associated services for MDOT MPA. The items purchased, some of which are to be installed at the MDOT Transportation Secretary's Office (TSO) and the MDOT Motor Vehicle Administration (MVA) as well as at MDOT MPA, will replace existing servers, switches (PBX's) and aged telephone equipment. The current PBX telephone equipment and servers have reached the end of their useful lives and need to be replaced. MDOT TSO decided that a one-MDOT system is needed, that it should be a VoIP system, and that NEC equipment should be procured, resulting in issuance of the PORFP for NEC equipment.

One proposal was received, from the manufacturer, NEC. NEC's proposal demonstrated an understanding of the scope of work and was deemed susceptible for award, and NEC's price is considered to be fair and reasonable. The MDOT MPA Information Services Department (ISD) has recommended NEC for award. I concur with the recommendation of ISD. The Office of the Attorney General has reviewed and approved this determination on December 7, 2018.

IV. DETERMINATION

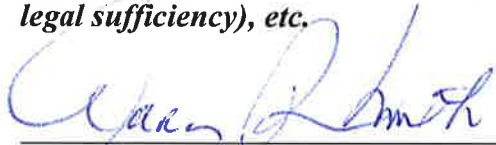
- A. The DOIT Hardware 2012 Master Contract meets the requirements of an intergovernmental cooperative purchasing agreement under COMAR 21.05.09.01B(2)(a).
- B. It is in the best interest of the MPA to utilize the DOIT contract because doing so will provide cost benefits to the State. NEC has provided the manufacturer's suggested retail prices for the equipment, and under the DOIT contract the State will save \$213,630.01 over the manufacturer's suggested retail price.

- C. Contracting with NEC under the DOIT contract is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.
- D. The award amount is within the funding available.
- E. Contracting with NEC under the DOIT contract will promote administrative efficiencies since it will save MDOT MPA the considerable time it will take to prepare a solicitation for public advertisement, obtain necessary approvals prior to publication, publish the solicitation, receive and analyze bids, and then complete an award. It will also provide MDOT MPA with contract pricing, procedures, and services identical to those provided by DOIT to other State agencies. DOIT has already deemed NEC to be a responsible contractor.
- F. A contract should be awarded to NEC in the amount of \$227,723.99 for the VoIP Telephone Equipment hardware, software, and licenses (and including a two-year warranty).
- G. Approval of the award by the Maryland Port Commission and the Board of Public Works are not required since this procurement constitutes a procurement of information technology supplies for which MDOT MPA has an unlimited delegation of procurement authority from the Board.

V. APPROVAL REQUIRED

COMAR 21.05.09.05 provides: "Before awarding or participating in an intergovernmental cooperative purchasing agreement, the procurement officer shall obtain the approval of the primary procurement unit head, and any other approvals as required under this title."

I request your approval, as unit head, to procure as described in this determination, subject to completion of all other requirements of procurement law, fund certification, execution and approval of the contract (including approval by the Office of the Attorney General for form and legal sufficiency), etc.

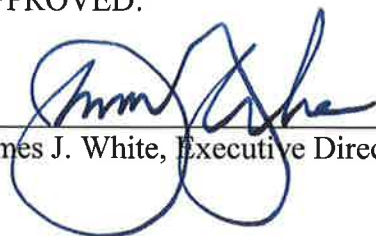


 Adrain Pulliam-Smith
 Procurement Officer




 Date

APPROVED:



 James J. White, Executive Director



 Date