

**PROCUREMENT OFFICER'S DETERMINATION  
INTERGOVERNMENTAL COOPERATIVE PURCHASING  
MODIFICATION NO. 1  
CONTRACT NO. P222220  
REPLACEMENT OF END OF LIFE SERVERS AND STORAGE**

**I. EXECUTIVE SUMMARY**

Dell Marketing L.P. is the awardee of Contract No. 222220-H under the National Cooperative Purchasing Alliance (NCPA) Contract No. 01-82, Data Storage, Cloud, Converged and Data Protection. This award did not require the approval by the Maryland Port Commission (MPC) and the Board of Public Works (BPW) since this procurement was for information technology supplies for which Maryland Department of Transportation Maryland Port Administration (MDOT MPA) has an unlimited delegation of procurement authority from BPW. However, the Procurement Officer did obtain the approval of the primary procurement unit head as required by COMAR 21.05.09.05 on May 5, 2022.

**II. BACKGROUND**

Modification No 1 is for the purchase of two additional servers, for a total of six, under this contract that are needed for MDOT MPA's Information Systems Department to work on an initiative to eliminate dependencies on Oracle-based applications and services. MDOT MPA's current physical infrastructure for Port Operations Systems (POSS) public-facing services, which operates in dedicated networks known as the "demilitarized zone" (DMZ) networks, rely exclusively on Oracle technologies. The two additional servers will enable the deployment of non-Oracle technologies in the two DMZs maintained by MDOT MPA located at DMT and WTC, respectively.


**III. DETERMINATION**

- A. The NCPA 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 issue a modification to this Contract because doing so will provide cost benefits to the State; NCPA has already competed a competitive procurement conducted by the NCPA lead agency; under the NCPA contract the State is paying \$155,233 less than the manufacturer's suggested retail price of \$195,040 for these two products. This procurement is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.
- C. This Modification No. 1 is for the amount of \$39,806.10 and is within the funding available.
- D. Modifying the current Contract will save MDOT MPA the considerable time it will take to prepare an Invitation to Bid, solicit to NCPA vendors, obtain necessary approvals prior to solicitation, solicitate, receive and evaluate bids, and then complete an award. It will also provide MDOT MPA with contract pricing and procedures.
- E. Since this procurement constitutes a procurement of IT supplies, for which MDOT MPA has an unlimited delegation of procurement authority from the Board of Public Works under

COMAR 21.02.01.04F(8)(a)(ii), approval of the award by the Maryland Port Commission and the Board of Public Works are not required for this Modification No. 1.

**V. APPROVAL REQUIRED**

  
\_\_\_\_\_  
Trisha O'Neal  
Procurement Officer

  
\_\_\_\_\_  
Date

**APPROVED:**

  
\_\_\_\_\_  
John Thornton  
Procurement Manager/Designee

  
\_\_\_\_\_  
Date