

**PROCUREMENT OFFICER'S DETERMINATION
INTERGOVERNMENTAL COOPERATIVE PURCHASING
CONTRACT NO. 223041-H
DELL LAPTOPS**

I. EXECUTIVE SUMMARY

This Determination has been executed pursuant to COMAR 21.05.09, Intergovernmental Cooperative Purchasing, to procure replacement laptops and high-end computers under an intergovernmental cooperative purchasing agreement of the Department of Information Technology ("DOIT"), Desktop, Laptop and Tablet 2015 Master Contract No. 060B540007, from Applied Technology Services for the price of \$50,786.00.

II. PROPOSALS RECEIVED

<u>Offeror</u>	<u>Price</u>
Applied Technology Services	\$50,786.00
DSR, Inc.	\$59,790.00

III. BACKGROUND

The Maryland Port Administration ("MPA") Budget Department allocated \$100,000 for the purchase of IT hardware in Fiscal Year 2023 to replace aging systems that have reached the end of their useful life. The MPA Information Services Department ("ISD") identified the laptops and high-end computers that needed to be purchased to replace the aging systems.

This contract was designated by MPA as a Small Business Reserve and the Procurement Officer solicited the sixteen certified small business Master Contractors approved by DOIT under the Desktop, Laptop and Tablet 2015 Master Contract. MPA received two proposals by the due date and time.

After MPA received the proposals for forty laptops, the MPA determined that it needed fewer laptops and issued Amendment No. 1 to reduce the number of laptops from forty to thirty and requested updated price sheets.

ISD has recommended Applied Technology Services for award based on its lowest price and having met MPA's requirements. I concur with the recommendation of ISD. The Office of the Attorney General approved this determination for form and legal sufficiency on June 26, 2023.

IV. DETERMINATION

- A. The DOIT Desktop, Laptop and Tablet 2015 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 MPA to utilize the DOIT contract because doing so will provide cost benefits to the State; DOIT has already competitively selected vendors under the Desktop, Laptop and Tablet 2015 Master Contract and MPA solicited proposals from all of the SBR vendors under this Master Contract; under the proposal submitted in response to the MPA solicitation under the DOIT contract the State is paying \$53,870.80 less than the manufacturer's suggested retail price for these products, according to the prices provided by Applied Technology Services. It will promote administrative efficiencies as DOIT has already deemed Applied Technology Services responsible and it is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.
- C. The award amount is within the funding available.
- D. Making an award under DOIT Desktop, Laptop and Tablet 2015 Master Contract No. 060B540007 will save 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 evaluate bids, and then complete an award. It will also provide MPA with contract pricing, procedures, and services identical to those provided by DOIT to other State agencies.
- E. Based on the aforementioned information and in accordance with the State Procurement Regulations, COMAR 21.05.09, it is my determination that Applied Technology Services should be awarded the Dell Laptops Contract in the amount of \$50,786.00.
- F. Since this procurement constitutes a procurement of information technology supplies for which MDOT MPA has an unlimited delegation of procurement authority from the Board of Public Works (the "BPW"), approval of the award by the Maryland Port Commission and the BPW are not required.

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.



Hannah Brown
Procurement Officer

6.26.23

Date

APPROVED:



Brian Miller
Interim Acting Executive Director

6/26/23

Date