

**PROCUREMENT OFFICER'S DETERMINATION
INTERGOVERNMENTAL COOPERATIVE PURCHASING
CONTRACT NO. 224042-H
LEASED VEHICLES**

I. SUMMARY

This Determination has been executed pursuant to COMAR 21.05.09.04, Intergovernmental Cooperative Purchasing – Determinations Required, relating to the lease of seven (7) white 2024 Jeep Grand Cherokee Laredos (4-wheel drive SUVs with the Luxury Tech Group I option) under an intergovernmental cooperative purchasing agreement (GSA Contract No. 47QMCA20D001F) from Advantage Leasing Associates, LLC dba Admiral Leasing (Admiral Leasing) in the amount of \$1,025.00 per vehicle per month for a term of 36-months.

II. BACKGROUND

MPA Facility Maintenance Fleet Department seeks to acquire seven (7) vehicles for the MPA Executive Vehicle Program (Execute Fleet), a program that is separate and distinct from the other vehicles in the MPA fleet. Six (6) of these vehicles are each assigned to an executive, appointed by the Maryland Port Commission (MPC). These executives have employment contracts with MPA, approved by the MPC, that have employee compensation packages that include the use of a take-home vehicle.

The MPA Facility Maintenance Fleet Department has observed and determined that five (5) of the current executive fleet vehicles are experiencing increased maintenance activity and costs, have reliability issues, and are due for replacement. The lease of the sixth vehicle is to satisfy the contract of the newly appointed Executive Director who is currently driving a vehicle assigned to the Secretary of MDOT as a temporary measure and the seventh vehicle is to satisfy the employment contract for the newly appointed Deputy Executive Director of Commercial Development.

MPA Office of Planning advised there are no available funds for the purchase of these vehicles, nor will MPA be able to secure additional funds for this purpose. In order to satisfy the contractual requirements of the MPA, and after discussion between the Secretary of MDOT and then Acting Interim Executive Director Brian Miller, the Office of Planning determined that the MPA should lease these vehicles to satisfy the obligations set forth in the employment contracts. The new Executive Director Jonathan Daniels was briefed on MPA's intent to lease these vehicles and concurred with that decision.

III. PROCUREMENT PROCESS

Pursuant to Executive Order 01.01.2021.01, any procurement for goods with a value between \$50,000 and \$500,000 shall be designated for the small business reserve. Upon researching Department of General Services Statewide Contracts, no contracts were found for the leasing of vehicles. Upon researching Intergovernmental Cooperative Purchasing Agreements, two companies were found on the federal GSA website that were located in Maryland. Only one company, Admiral Leasing, was a Maryland Certified Small Business.

Accordingly, MPA contacted Admiral Leasing to request a quote which included all specifications for leasing the vehicles. On August 23, 2024, the MPA received a quote from Admiral Leasing in the amount of \$1,025.00 per month for 36 months (total \$36,900) for each vehicle. The Procurement

Officer reviewed the quote and found it to be consistent with GSA's contract. This offer is also consistent with a lease quote offered to MPA earlier this year from a different company for a similar vehicle. That lease offer was for 60 months at \$932.47 per month (total of \$55,948) per vehicle.

MPA Operations Department has recommended Admiral Leasing for award based on its ability to supply the leased vehicles and for meeting the requirements at a price that is fair and reasonable. I concur with the recommendation of MPA Operations Department. The Office of the Attorney General approved this determination for form and legal sufficiency on October 1, 2024.


III. DETERMINATION

- A. GSA Contract No. 47QMCA20D001F with Admiral Leasing, meets the requirements of an intergovernmental cooperative purchasing agreement under COMAR 21.05.09.01B(2).
- B. It is in the best interest of the MPA to utilize the GSA contract because doing so will provide cost benefits to the State, as set forth in COMAR 21.05.09.04(B)(1)(a), because GSA has already competitively solicited for Lease or Rental of Equipment-Ground Effect Vehicles, Motor Vehicles, Trailers and Cycles.
- C. By making an award under the GSA Contract No. 47QMCA20D001F, it will provide cost benefits and promote administrative efficiencies, as set forth in COMAR 21.05.09.04(B)(1)(a) & (b), because this procurement will save considerable time it would take to prepare a solicitation for public advertisement, obtain necessary approvals prior to publication, publish the solicitation, receive and evaluate proposals, and finally completing an award. Using the GSA contract will provide cost benefits and promote administrative efficiencies as GSA has already deemed Admiral Leasing to be responsive.
- D. As set forth in COMAR 21.05.09.04((2)(a) & (b), use of the GSA contract is in the best interest of the State and is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.
- E. Based on the aforementioned information and in accordance with the State Procurement Regulations, COMAR 21.05.09, it is my determination that MPA should award Admiral Leasing a contract for the lease of seven (7) vehicles in the amount of \$1,025.00 per vehicle per month for 36 months.
- F. Approval of this award by the Maryland Port Commission and the Board of Public Works ("BPW") is not required because this procurement constitutes a procurement of commodities/supplies for which MPA has an unlimited delegation of procurement authority from the BPW under COMAR 21.02.01.04F(8).
- G. The amount of award is within MPA's funding capabilities.
- H. The award is in compliance with Executive Order 01.01.2021.01 which requires procurements for goods with a value of \$50,000 to \$500,000 to be designed for the small business reserve.

IV. APPROVAL REQUIRED

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


I request your approval, as designee, 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.



Margie A. Koppelman
Procurement Officer

10-2-24

Date

APPROVED:


John Thornton
Designee/Director of Procurement

10/2/24

Date