

PROCUREMENT OFFICER'S DETERMINATION
INTERGOVERNMENTAL COOPERATIVE PURCHASING
CONTRACT NO. 223017-H
DATA CENTER SWITCHES

I. EXECUTIVE SUMMARY

This Determination has been executed pursuant to COMAR 21.05.09, Intergovernmental Cooperative Purchasing, to procure replacement switches under an intergovernmental cooperative purchasing agreement of the Department of Information Technology (DOIT), Hardware 2012 Master Contract No. 060B2490022, from En-Net Services, LLC for a price of \$350,829.76.

II. PROPOSALS RECEIVED

<u>Offeror</u>	<u>Price</u>
En-Net Services, LLC	\$350,829.76 (Awardee)
Advanced Computer Concepts	\$384,085.18
Applied Technology Services	\$365,748.00
DSR, Inc.	\$365,457.00
MVS, Inc.	\$394,192.14

III. BACKGROUND

The MDOT MPA on-premise IT infrastructure is mainly concentrated in two geographical locations; the WTC Data Center and DMT-EOC Data Center. The current network communications within and between these two data centers is performed using access switches which currently are not a good fit; therefore, ISD is in need of replacements.

The MDOT MPA solicited the twenty-one certified small business Master Contractors listed on the DOIT Hardware 2012 Contract. The MDOT MPA received five (5) proposals and two (2) no-bids stating the reason as "could not be competitive with these products". This Contract was designated as an SBR procurement only.

ISD has recommended En-Net Services, LLC for award based on lowest price and meeting the requirements of providing these products. I concur with the recommendation of ISD. The Office of the Attorney General approved this determination for form and legal sufficiency on November 15, 2022.

IV. DETERMINATION

- A. 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 MDOT MPA to utilize the DOIT contract because doing so will provide cost benefits to the State; DOIT has already competitively solicited for the Hardware 2012 Master Contract; under the DOIT contract the State is paying \$290,402.62 less than the manufacturer's suggested retail price for these products, according to the prices provided by En-Net Services, LLC. It will promote administrative efficiencies as DOIT has already deemed En-Net Services, LLC 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 Hardware 2012 Master Contract No. 060B2490022 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 evaluate proposals, 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.
- E. Based on the aforementioned information and in accordance with the State Procurement Regulations, COMAR 21.05.09, it is my determination that En-Net Services, LLC should be awarded the Data Center Switches Contract in the amount of \$350,829.76.
- 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.


Margie A. Koppelman
Procurement Officer

11-16-22
Date

APPROVED:


William P. Doyle, Executive Director

11/21/2022
Date