

**PROCUREMENT OFFICER'S DETERMINATION
INTERGOVERNMENTAL COOPERATIVE PURCHASING
CONTRACT NO. P3300554
GROVE ALL TERRAIN CRANE**

I. EXECUTIVE SUMMARY

This Determination has been executed pursuant to COMAR 21.05.09, Intergovernmental Cooperative Purchasing, to procure a 550 Ton All Terrain Grove Crane, Model GMK7550, under an intergovernmental cooperative purchasing agreement, Sourcewell Contract No. 032119-GUS. The crane manufacturer, Grove US LLC dba The Manitowoc Company, Inc. (Manitowoc), holds the Sourcewell contract and the purchase will be made from Manitowoc's sole authorized reseller or dealer in Maryland, MGX Equipment Services, LLC (MGX), for the price of \$3,324,000.

II. BACKGROUND

This new crane will replace the Manitowoc M-250 300 ton heavy lift mobile crane, known to the MDOT MPA as "Big Red", which was manufactured in 1994 and delivered to MDOT MPA in 1996. The average life expectancy of a mobile crane is 20 years and the reliability of "Big Red" has decreased due to age. Parts obsolescence and reduced manufacturer's support is becoming an issue due to the age of the crane and the limited number of this particular model still in operation which has caused increased downtime. The replacement crane has greater capacity and will provide more versatility for improved cargo movement. In addition, the operating system on the current crane is similar to the replacement crane, meaning that training needs on the replacement crane will be minimal, and many of the parts and accessories previously purchased by MDOT MPA for use with the current crane and interchangeable and can be used in the replacement crane.

The Operations Division of the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) has reviewed the quote provided by MGX for the 550 Ton All Terrain Grove Crane, Model GMK7550, and has concluded that the crane meets its minimum needs. The Operations Division recommends MGX for award based on the specifications and pricing provided. I concur with the recommendation of Operations. The Office of the Attorney General approved this determination for form and legal sufficiency on June 9, 2023.

IV. DETERMINATION,

- A. Sourcewell Contract No. 032119-GUS 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 Sourcewell contract because doing so will provide cost benefits to the State; Sourcewell has already competitively solicited for its contract; under the Sourcewell contract the State is paying \$680,865 less than the manufacturer's suggested retail price for this crane, according to the prices provided by MGX. It will promote administrative efficiencies as Sourcewell has already deemed MGX responsible, and using the Sourcewell contract 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 the Sourcewell Contract No. 032119-GUS 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.
- E. Based on the aforementioned information and in accordance with the State Procurement Regulations, COMAR 21.05.09, it is my determination that MGX Equipment Services, LLC should be awarded the Contract to provide the 550 Ton All Terrain Grove Crane, Model GMK7550 in the amount of \$3,324,000.
- F. Since this crane is a motor vehicle, this procurement constitutes a procurement of supplies for which MDOT MPA has an unlimited delegation of procurement authority from the Board of Public Works (the "BPW"), and 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.

DocuSigned by:


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 Trisha O'Neal
 Procurement Officer

6/9/2023

 Date

APPROVED:



 William P. Doyle, Executive Director

6/12/2023

 Date