

PROCUREMENT OFFICER'S DETERMINATION
INTERGOVERNMENTAL COOPERATIVE PURCHASING
CONTRACT NO. 217042-IT
FIBER INSTALLATION

I. EXECUTIVE SUMMARY

This Determination has been executed pursuant to COMAR 21.05.09, Intergovernmental Cooperative Purchasing, to procure cable and wiring services for the Maryland Department of Transportation (the Secretary's Office, Maryland Port Administration and the Maryland Transportation Authority) under an Intergovernmental Cooperative Purchasing Agreement of the Maryland Department of Information Technology (DOIT), Cable and Wiring Materials and Services Contract No. 060B6400046.

II. PROCUREMENT PROCESS

On September 21, 2017, the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) advertised the Task Order Request for Proposals (TORFP) for fiber installation at three work areas as identified in the TORFP. This project will enhance section of the fiber backbone network for MDOT enterprise network. The fiber will enable connection of MDOT MPA, MDOT MDTA and MDOT network equipment on Broening Highway to the MDOT enterprise network. The TORFP was sent to the fifteen Master Contractors on DOIT's Cable and Wiring Materials and Services Contract. A preproposal conference and site visit were held on October 2, 2017 and nine Master Contractors were in attendance. Proposals were due on October 13, 2017. Four proposals were received.

The four Technical Proposals were distributed to the evaluation committee. The committee was comprised of the following members:

- Ashton Fletcher, MDOT MPA
- Christian Gellert, MDOT TSO
- Eric Metheny, MDOT MDTA
- Harvey Robinson, MDOT MPA
- Harish Wagle, MDOT MPA

Each member reviewed and evaluated the Technical Proposals. The evaluation committee deemed all four offerors technically qualified and susceptible of being selected for award based on the Technical Proposals. Below is the technical ranking:

<u>Offeror</u>	<u>Technical Ranking</u>
KCI Construction Services LLC	1
Noovis LLC	2
Eastcomm Ltd	3
Henkels & McCoy, Inc.	4

On November 9, 2017, the Financial Proposals were opened and the Procurement Officer sent a request for Financial Best and Final Offers (BAFOs) to the offerors. In response to the request for BAFOs Noovis LLC reduced their price by \$1,098 and Eastcomm Ltd reduced their price by \$1,000. Below is the financial BAFO ranking:

<u>Offeror</u>	<u>Financial Total Evaluated Price</u>	<u>BAFO Total Evaluated Price</u>	<u>Financial Ranking</u>
Noovis LLC	\$520,194.70	\$519,096.70	1
Eastcomm Ltd	\$555,258.03	\$554,258.03	2
Henkels & McCoy, Inc.	\$793,959.00	\$793,959.00	3
KCI Construction Services LLC	\$843,525.00	\$843,525.00	4

KCI Construction Services and Henkels & McCoy chose not to submit a financial BAFO. Both of their financial proposals were much higher than the estimate and both exceeded the budgeted amount for this contract.

Noovis LLC's financial BAFO was \$67,803.30 less than the estimate, however Noovis LLC has confirmed its pricing.

The overall ranking, technical and price combined, is as follows:

<u>Offeror</u>	<u>Overall Ranking</u>
Noovis	1
Eastcomm	2
KCI	3
H&M	4

The Evaluation Committee recommends Noovis LLC for award. Noovis LLC provided the best financial proposal and was a very close second for technical proposal. Noovis LLC is knowledgeable in all technical aspects of the TORFP and its required deliverables. Noovis LLC has demonstrated in the technical proposal a high level of technical knowledge, experienced personnel, and prior experience with the State and MDOT completing similar projects. Noovis LLC has successfully demonstrated that its proposal provides the best value and is the most advantageous to the State and MDOT.

On Tuesday, December 5, 2017, the three offerors not selected received notice that they were not selected for award. As of December 7, debriefings have not been requested.

III. DETERMINATION

- A. The DOIT Cable & Wiring Materials and Services 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, as DOIT has already competitively solicited for the Cable and Wiring Materials and Services Master Contract. It will promote administrative efficiencies and is not intended as a means to evade the purposes set forth under COMAR

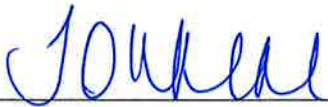
21.01.01.03. By using the DOIT contract MPA will be using a company, Noovis LLC, that DOIT has determined to be a responsible contractor.

- C. The award amount is within the funding available.
- D. Making an award under DOIT Cable and Wiring Materials and Services Master Contract No. 060B6400046 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 21.05.03.04F, "the procurement officer shall make a determination recommending award of the contract to the responsible Offeror whose proposal is determined to be the most advantageous to the State, considering price and the evaluation factors set forth in the request for proposals", it is my determination that Noovis LLC should be awarded the Fiber Installation contract in the amount of \$519,196.70.
- F. Final award will be subject to approval by the Maryland Port Commission and the Board of Public Works, currently scheduled on January 5 and January 24, 2018, respectively.


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.



Trisha O'Neal
Procurement Officer



Date

APPROVED:



James J. White, Executive Director



Date