



Maryland
Transportation
Authority

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MEMORANDUM

TO: EXECUTIVE DIRECTOR, JAMES F. PORTS, JR.
FROM: PROCUREMENT OFFICER, JAMAAL TURNER *JT* *PO*
THROUGH: DIRECTOR, DIVISION OF PROCUREMENT, DONNA DICERBO, CPPO CPPB
SUBJECT: CONTRACT NO. J01B0600021
 INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT
 APPROVAL REQUEST
DATE: NOVEMBER 4, 2019

PURPOSE OF MEMORANDUM

To request your review and approval of the attached Procurement Officer’s Determination (POD) seeking Secretary Pete K. Rahn’s approval to utilize the Intergovernmental Cooperative Purchasing method.

SUMMARY

In accordance with State Procurement Regulations COMAR 21.05.09.05, the Maryland Transportation Authority (MDTA) is seeking approval to utilize the National Association of State Procurement Officials (NASPO) ValuePoint Cloud Solutions (2016-2026) Contract for the purchase of OpenGov Enterprise Budget Software-as-a-Service for the Maryland Transportation Authority Division of Finance.

ANALYSIS

A full analysis and explanation for this determination is contained in the attached POD. Please advise if you require additional information regarding this matter.

REVIEWED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]
 Assistant Attorney General

APPROVED:
[Signature]
 James F. Ports, Executive Director

ATTACHMENT

- One (1) Procurement Officer’s Determination

**MARYLAND TRANSPORTATION AUTHORITY
DIVISION OF PROCUREMENT**

Procurement Officer's Written Determination
COMAR 21.05.09

Contract Number: J01B0600021
Contract Title: Enterprise Budget Software Solution
Type of Contract: Information Technology (IT)
Subject: Intergovernmental Cooperative Purchasing Agreement Approval Request

In accordance with State Procurement Regulations COMAR 21.05.09.05, the Maryland Transportation Authority (MDTA) is seeking approval to utilize the National Association of State Procurement Officials (NASPO) ValuePoint Cloud Solutions (2016-2026) Contract. The MDTA is requesting to utilize this NASPO ValuePoint Contract for the provision of OpenGov Enterprise Budget Software as a Software as a Service (SaaS) Solution, to include all licenses necessary for the operation of the budget software, installation and maintenance, as well as system administrator and end-user training. If approved, this contract will have a term of five years and has an estimated value of \$750,000.00.

The MDTA's finances are accounted for as a proprietary type enterprise fund using the accrual basis of accounting, like a private business entity. The OpenGov Budget Software Solution will provide to the MDTA Division of Finance the ability to create an annual budget by line item for multiple divisions/programs for monitoring, analyzing, forecasting, and reporting budgetary spending across multiple years.

Currently the Department of Information Technology (DoIT) does not have a Master Contract vehicle for SaaS solutions. DoIT's Master Contract for software is for commercial off-the-shelf software only and does not allow for the purchase of software via a SaaS solution. The use of an Intergovernmental Cooperative Purchasing Agreement (ICPA) via NASPO ValuePoint for procuring this Enterprise Budget Software Solution is in the State's best interest as it will provide cost benefits to the State and promote administrative efficiencies and is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.

The NASPO Public Cloud Solutions Contract was procured via a Request for Proposals (RFP) with the intent to achieve more favorable pricing than is obtainable by a single entity because of the collective volume of potential purchases by numerous governmental entities. The NASPO RFP, led by the State of Utah with five (5) other states listed as participants, resulted in 58 proposals received for Cloud Solutions. During evaluation, six (6) proposals were eliminated due to failing to conform to the mandatory minimum requirements as outlined in the RFP and fourteen (14) were eliminated due to failing to meet the minimum technical scoring threshold. Leaving thirty-eight (38) offerors to be awarded Master Agreements.

Many of the major industry firms participated in this RFP and were awarded Master Agreements. Complex terms and conditions that are generally inherent in an IT contract of this type have already been negotiated, and the State can negotiate additional terms and conditions if required by State Regulations or unique to the MDTA project. Per the terms of the RFP, entities utilizing the Master Agreement have the option to request quotes from as many or as few Master Contractors as it determines to be in its best interest. The MDTA intends to issue its scope of work to all Master Contractors authorized to distribute OpenGov Enterprise Budget Software to maximize the opportunity to achieve a contract that is in the best interest of the State, both in price and technical aspects.

The MDTA Procurement Officer has reviewed the NASPO Master Contract and the contract terms permit other States and government entities to utilize it. Based on the evaluation criteria in the NASPO Master Contract RFP, only Offerors offering a minimum discount from its commercially published pricelist for Cloud Solutions qualified for contract award.

The MDTA Procurement Officer has determined that utilizing the NASPO ValuePoint Contract for Cloud Solutions to purchase OpenGov Enterprise Budget Software as a Service will allow the MDTA the ability to acquire the required software and services at competitive prices and will reduce the time-period between purchase and delivery of the solution, reduce the administrative burden on the MDTA, and continue to promote Intergovernmental cooperation.

Determination by:

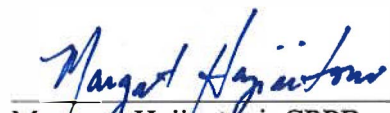


Jamaal Turner
Procurement Officer, Division of Procurement



Date

Reviewed by:




Margaret Hajiantoni, CPPB
Procurement Manager, Division of Procurement




Date

Reviewed by:



Jeff Davis
Deputy Director, Division of Procurement



Date

Reviewed by:



Donna DiCerbo, CPPO, CPPB
Director, Division of Procurement



Date

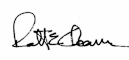
Approval for processing under the authority of COMAR 21.05.09, Intergovernmental Cooperative Purchasing.



Pete K. Rahn, Secretary
Office of the Secretary, MDOT



Date



Robert Gleason, CPPO
Chief Procurement Officer, Office of State Procurement

Date






J01B0600021 ICPA POD - Approved (signed)

Final Audit Report

2021-03-17

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