

**PROCUREMENT OFFICER'S DETERMINATION  
INTERGOVERNMENTAL COOPERATIVE PURCHASING  
MODIFICATION NO. 1, CONTRACT 217033-H  
CLOTHING FOR TERMINAL WORKERS  
ONE-YEAR EXTENSION – MODIFICATION NO. 2**

**I. SUMMARY**

This Determination has been executed pursuant to COMAR 21.05.09, Intergovernmental Cooperative Purchasing, to exercise the second one-year extension option to extend the contract between the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) with ServiceWear Apparel, Inc. ("ServiceWear"), Contract No. 270033-H, for one year, November 1, 2020, through October 31, 2021, and an amount not to exceed \$40,000.

**II. BACKGROUND**

The contract allows MDOT MPA to purchase clothing and other articles under an intergovernmental cooperative purchasing agreement (the "parent contract") of the National Intergovernmental Purchasing Alliance, now called OMNIA Partners ("OMNIA"), procured by the Region 4 Education Service Center, a Texas governmental agency, for itself and other participating governmental entities. Under the parent contract, the Region 4 Education Service Center has the right to extend the contract for two additional one-year terms. MDOT MPA issued its contract with ServiceWear on February 1, 2017, for the term of February 1, 2017 through October 31, 2019, for an amount not to exceed \$136,500. Under its contract with ServiceWear, MDOT MPA has the right to extend its contract for two additional one-year terms to the extent that the Region 4 Education Service Center extends the parent contract. The Region 4 Education Service Center has extended its contract with ServiceWear through October 31, 2021. On or about August 13, 2020, MDOT MPA exercised its option to renew the contract for the period November 1, 2019 through October 31, 2020. The MDOT MPA Operations division has requested that MDOT MPA contract with ServiceWear be extended for the spend optional renewal period, November 1, 2020, through October 31, 2021, for an amount not to exceed \$40,000. The MDOT MPA Budget Manager has confirmed that funding is available in that amount.

MDOT MPA has saved on average 35% or more buying from ServiceWear compared to the prices paid when MDOT MPA published its own procurement, due to the volume-pricing discount available by virtue of the participation in the parent contract of many governmental agencies across the US. In addition, the service provided by the contractor, ServiceWear, has been excellent.

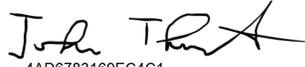
**III. DETERMINATION**

For the foregoing reasons, and for the reasons stated in the original determination to award the contract to ServiceWear, I determine that:

- A. It is in the best interest of MDOT MPA to extend the ServiceWear contract because doing so will provide cost benefits to the State, will promote administrative efficiencies, and is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03;
- B. Extending the contract will save MDOT MPA the considerable time it will take (approximately five weeks at a minimum) to prepare a solicitation for public

advertisement, obtain necessary approvals prior to publication, publish the solicitation, receive and analyze bids, and then complete an award;

- C. A one-year contract extension should be awarded to ServiceWear in the amount not to exceed \$40,000; and
- D. This modification is within MDOT MPA's unlimited delegation of authority for contracts for supplies; therefore, approval by the Maryland Port Commission and the Board of Public Works are not required.

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6/26/2020

John Thornton, Procurement Officer

Date