



Policies and Procedures



Converting Competitive Procurements into Interagency Agreements (IAA) for Awards Recommended to Government Entities (Cancellation of the Procurement)

Background

In the event a government entity bids or proposes and receives the recommendation for award to a competitive procurement, the procurement may be cancelled and the award processed in accordance with COMAR 21.01.03.01.A(4). If the services that are the subject of the Invitation for Bids (IFB) or the Request for Proposals (RFP) are currently being provided under an Interagency Agreement (IAA) with a public institution of higher education and the State determines that the services can be provided more cost effectively by the public institution of higher education, then the IFB or RFP may be cancelled in accordance with Md. Code Ann., State Finance and Procurement Art., § 3-207(b)(2).

Procedures for the Requesting Agency

Conduct the procurement according to established laws, regulations, policies, procedures, and best practices. If the award recommendation is determined to be a government entity or it is determined to be more cost effective under an existing IAA with a public institution of higher education, then the following steps are taken to cancel the procurement.

1. Submit award recommendation documentation and/or the Procurement Officer's Determination (POD) to cancel the procurement per COMAR 21.01.03.01.A(4) and 21.06.02.02 to DGS Office of State Procurement (OSP) for review and approval. DGS OSP will review the recommendation for award and cancellation request and notify the Requesting Agency of the initial approval or denial, as determined.
2. Once DGS OSP initial approval is received,
 - a. If the award is recommended to a public institution of higher education and the value of the resulting IAA (including any renewal options) is \$500,000 or more, the IAA must be submitted to the Department of Budget and Management (DBM) for review and approval prior to execution.
 - b. If the award is recommended to a public institution of higher education and the value of the resulting IAA (including any renewal options) is less than \$500,000 or is to any other government entity, execute the IAA with the recommended awardee.
3. Once approval is received from DBM (if required) and the IAA is executed, then notify DGS OSP of the IAA execution by all parties. DGS OSP confirms the cancellation of the procurement for final approval as of the date the IAA was executed.
4. Cancel the solicitation notice on eMaryland Marketplace Advantage (eMMA). DGS OSP will report the cancellation on the next available Procurement Agency Activity Report (PAAR).

Note: Do not cancel the procurement prior to executing the IAA in case an agreement is not made by the two parties resulting in the bid being rejected or the proposal determined to be not reasonably susceptible of being selected for award, so the award recommendation may move to the next available bidder or offeror, if determined to be in the best interest of the State.