



Mohammed Choudhury
State Superintendent of Schools

DATE: August 9, 2022

TO: Michael Zimmerman, Chief Procurement Officer
Office of State Procurement, Department of General Services

FROM: Jenna Meinl, Business Services Partner, MSDE

SUBJECT: Procurement Officer's Determination for the Use of Intergovernmental Cooperative Purchasing Agreement Per COMAR 21.05.09.04 – EANS Program – SHI Government – Contract # R00B2600110

The Maryland State Department of Education (MSDE) requests approval to use The Interlocal Purchasing System (TIPS) contract to purchase student laptops, desktops, tablets, Promethean active boards, and stands for nonpublic schools through an Intergovernmental Cooperative Purchasing Agreement (ICPA).

Background and Purpose

The MSDE received grant funding through the Emergency Assistance for Nonpublic Schools (EANS) program through the United States Department of Education. The EANS program is authorized in the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act of 2021, signed into law on December 27, 2020, as part of the Governor's Emergency Education Relief (GEER II) fund. Maryland's EANS program allocation is \$35,878,533, including \$200,000 for administration.

The MSDE cannot pass funds to nonpublic schools to administer for this program. By federal law, the Department must provide services and assistance to nonpublic schools but retain all title and ownership thereof. EANS is not a grant program. Instead, the law requires that the MSDE directly provide services or assistance to nonpublic schools.

The Maryland State Department of Education proceeded as follows to procure requested services and assistance:

- The Department collected requests for services and assistance;
- The Department explored existing State contracts with the Department of General Services and utilized those where able (e.g., for many of the technology and PPE requests);
- The Department then sought vendors available to the Department via intergovernmental purchasing agreements, which is where the Department identified the particular vendor for tutoring assistance; and
- The Department will next execute contracts with those identified vendors upon approval from the Board of Public Works

At no time was the Department planning to initiate an open solicitation for this process. The typical turnaround time for this process, once initiated, is nearly 12 to 18 months. That process would begin after the application and aggregation process. That means nonpublic schools would receive access to services and assistance in spring/summer 2023 at the earliest. Aside from being counter to the goal of the program to provide emergency services and assistance as expediently as possible, this timeline would have run afoul of federal expectations to act swiftly and revert unused funding. However, the Department also sought to balance providing customer service to nonpublic schools while maintaining its fiduciary responsibilities to the taxpayers and avoid utilizing retroactive or emergency procurement. Therefore, the Department identified intergovernmental purchasing consortia, as allowed in the State Finance and Procurement article, to access competitively-bid contracts that could provide the requested emergency services and assistance for nonpublic schools. The EANS Program funding will help to support nonpublic school students and educators and will potentially help to address the educational disruptions caused by the COVID-19 pandemic.

The TIPS Consortium pricing provided through the State of Texas, Educational Service Center Region 8 on a contract that was competitively bid and entered into with hundreds of vendors. This contract allows MSDE to obtain pricing for these requested goods and services from the nonpublic schools at a very competitive rate. For governmental agencies such as public education organizations, higher education entities, and city or county governments, membership in a purchasing cooperative offers access to competitively procured contracts; savings of time and financial resources necessary to fulfill the procurement requirements; access to fair and reasonable pricing offered by the awarded vendors. Being able to purchase a majority of the requested goods and services from the nonpublic schools under the TIPS consortium has helped MSDE to decrease the overall cost of administration and promoted cost savings than if the Department chosen to solicit for all these items individually. This provides both cost and administrative efficiencies to the state.

MSDE has exercised due diligence in an attempt to utilize one consortium that has multiple vendors and offers competitive pricing for all of the products that the nonpublic schools have requested MSDE to purchase for them. MSDE is also utilizing several Maryland statewide contracts in addition to this ICPA in order to fulfill the requests from the nonpublic schools for furniture, COVID supplies, cleaning supplies, and PPE supplies. MSDE shall contact DGS OSP Chief Procurement Officer (or designee) if there will be any further purchases off the TIPS contracts in the future.

MSDE will be controlling the items that each nonpublic school requests and received. MSDE will keep track of all of the items as well. If the items are consumable, then they will not need to add to our inventory management system since they are a one-time use. For all IT equipment and hardware, an MSDE tag will be added to the individual item and inventoried in the inventory management system.

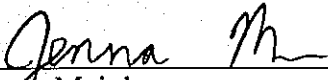
Pricing Justification

MSDE compared the SHI's pricing to competitors to determine if the Department was receiving comparable pricing through the TIPS consortium. SHI's pricing was similar to their competitors, if not even lower pricing was offered on some items from SHI. MSDE provided a price analysis below of all

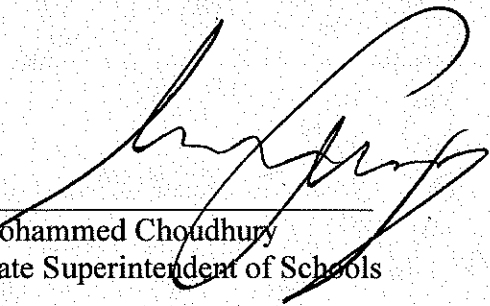
the items that will be purchased through SHI off of the TIPS consortium to show the market pricing. Additionally, the nonpublic schools requested several different brands and types of IT equipment. In order to meet all of their requests, MSDE narrowed down the selection of chromebooks, laptops, and desktops so that the nonpublic schools could specifically pick the type of IT equipment that would work best for their schools.

R00B2600110 SHI Government - Pricing Justification					
Product	SHI's Price Per Unit	Competitor	Pricing	Competitor	Pricing
DELL CHROMEBOOK 3100 SYST CEL N4020 / 1.1 GHz - Chrome OS	\$ 286.80	CDW.com	\$297.99	OfficeDepot.com	\$303.99
Apple 10.2-inch iPad Wi-Fi - 9th generation - tablet - 64 GB - 10.2" IPS	\$ 299.00	BestBuy.com	\$329.99	Apple.com	\$329.00
HP 255 G8 - Ryzen 5 5500U / 2.1 GHz - Win 11 Pro - Radeon Graphics - 16 GB RAM	\$ 728.00	Staples.com	\$754.99	Walmart.com	\$872.00
DELL LATITUDE 3420 - 14" - CORE I5 1135G7 / 2.4 GHz - Win10 Pro	\$ 729.20	Dell.com	\$729.99	OfficeDepot.com	\$799.99
HP ProDesk 400 G6 - Wolf Pro Security - mini desktop - Core i5 10500T	\$ 772.15	CDW.com	\$772.99	HP.com	\$719.00
Lenovo V15 G2 ITL 82KB - Intel Core i5 1135G7 / 2.4 GHz	\$ 665.00	Lenovo.com	\$633.10	CDW.com	\$792.99
HP E24 G4 - E-Series - LED monitor - 23.8" (23.8" viewable) - 1920 x 1080	\$ 224.00	HP.com	\$234.00	CDW.com	\$246.99
Logitech Desktop MK120 - Keyboard and mouse set - USB	\$ 13.00	OfficeDepot.com	\$16.99	Dell.com	\$17.99
ActivPanel Titanium 75" - 4 x Pen, Vesa Mount, WIFI Module & cable pack	\$2,566.20	SchoolSpecialty.c	\$2,699.99	Touchboards.com	\$2,550.00
Fixed height mobile stand for use with ActivPanel	\$ 385.00	CDW.com	\$549.99	Touchboards.com	\$517.41
Viewsonic IFP7550-E1 - 75" ViewBoard 4K Ultra HD Interactive Flat Panel Bundle	\$1,993.30	OfficeDepot.com	\$2,815.99	CDW.com	\$3,857.00
Viewsonic VB-STND-001 Display Stand - 63.4" Height x 51.2" Width x 25.6" Depth	\$ 384.23	Protechprojection	\$639.00	Provantage.com	\$592.89
Viewsonic Warranty/Support - 2 Year Extended Warranty - Warranty (INCLUDED)	\$ -	N/A	N/A	N/A	N/A

MSDE has determined that using the Intergovernmental Cooperative Agreement with TIPS provides a cost benefit to the State and significantly reduces administrative burden by purchasing all of these items from one vendor, instead of awarding each item to a different vendor. MSDE's procurement officer determined, pursuant to COMAR 21.05.09.04 to recommend the use of this Intergovernmental Cooperative Agreement.


 Jenna Mehl
 Business Services Partner

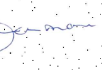
8/4/2022
 Date



Mohammed Choudhury
State Superintendent of Schools

08/11/2022

Date

APPROVED: 

Michael Zimmerman
Chief Procurement Officer

Aug 12, 2022

Date