



Wes Moore, Governor · Aruna Miller, Lt. Governor · Atif Chaudhry, Secretary

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**Intergovernmental Cooperative Purchasing Agreement  
Procurement Officer Determination  
COMAR 21.05.09.04**

Per COMAR 21.05.09.02, as a Primary Procurement Unit, the DGS Office of State Procurement (OSP) may initially sponsor or participate in, renew, modify, or administer an Intergovernmental Cooperative Purchasing Agreement (ICPA) on its behalf or on behalf of another agency when a determination is made under SFP §13-110 and COMAR 21.05.09.04.

In accordance with COMAR 21.05.09.03B, “A primary procurement unit may purchase its requirements from another government entity’s contract if that contract is an intergovernmental cooperative purchasing agreement and is available for use by the primary procurement unit.” As the DGS OSP Procurement Officer, I have determined that issuing an indefinite delivery indefinite quantity contract based on NASPO contract OK-MA-145-015 to AXON for public safety video systems is in the best interest of the State based upon the reasons stated below.

The proposed contract pricing meets the requirements of the ICPA under COMAR 21.05.09.01B(2)(a). The process to directly solicit such a contract would take significantly longer than participating in the completed ICPA, mainly since the State of Oklahoma, on behalf of NASPO, has already completed a competitive bid process. Additionally, the amount of time in the award process is reduced, and this method promotes administrative efficiencies and provides cost benefits to the State as it relates to COMAR 21.01.01.03. The State will enter into an IDIQ Requirements type contract, with all State and Local government agencies placing orders against this awarded contract; therefore, the work orders will determine the total contract value. However, the estimated spend on the contract is around \$500,000 per year.

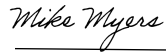
The NASPO contract was awarded on February 1, 2017, and was approved for a three (3) year term through January 31, 2020, with two (2) one-year renewal options, at the discretion of NASPO. This contract was subsequently renewed at ninety (90) day intervals to allow time for a new agreement to be executed. The State of Maryland renewals will be based on the master contract terms and conditions, market research conducted at the time of the renewal, and at the discretion of the NASPO purchasing officer that issued the Request for Proposal (RFP) that resulted in the ICPA.

This contract was awarded to AXON on February 1, 2017. AXON was determined to be qualified based on its ability to provide public safety video systems. This vendor fully met and complied with all specifications and requirements of the solicitation by the evaluation criteria of the RFP.

DGS and other agencies will receive fair and reasonable prices that were competitively bid, and the proposed contract pricing meets the requirement of the ICPA under COMAR 21.05.09.01B

(2)(a).

Therefore, based upon this independent analysis, I have determined that it is in the best interest of the State to participate in this intergovernmental cooperative purchasing agreement and issue an IDIQ contract to AXON, as awarded on the NASPO contract OK-MA-145-015, and that doing so will provide cost benefits to the State, promote administrative efficiencies or promote intergovernmental cooperation, and is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03 and request approval of the primary procurement unit head per COMAR 21.05.09.05.



Aug 7, 2023

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Mike Myers, Procurement Officer, DGS OSP / Date



[Mike Haifley \(Aug 7, 2023 16:04 EDT\)](#)

Aug 7, 2023

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Mike Haifley, Acting Chief Procurement Officer / Date



Aug 16, 2023

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Atif Chaudhry, Secretary DGS / Date

# DGS OSP ICPA POD - Axon

Final Audit Report


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