

**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 own behalf or on behalf of another agency when a determination is made under SFP §13-110 and COMAR 21.05.09.04.

Based upon the analysis and market research conducted as identified in the attached Procurement Officer's Determination from the Maryland Transportation Authority (MDTA) for approval to modify PRiSM Compliance Management Solution (PRiSM) Contract. I have conducted an independent analysis and determined that it is in the best interest of the State to participate in this intergovernmental cooperative purchasing agreement, 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.

Tyler Russell

Dec 14, 2023

Tyler Russell, Procurement Officer, DGS OSP / Date

Mike Haifley

[Mike Haifley \(Dec 15, 2023 16:10 EST\)](#)

Dec 15, 2023

Mike Haifley, Acting Chief Procurement Officer / Date

Atif Chaudhry

Dec 15, 2023

Atif Chaudhry, Secretary, DGS / Date

Attachment



MEMORANDUM

TO: CHIEF FINANCIAL OFFICER, DEBORAH SHARPLESS
THROUGH: DEPUTY DIRECTOR OF PROCUREMENT, JEFFREY DAVIS, NIGP-CPP
FROM: PROCUREMENT OFFICER, NICK SUTER, CMPO
SUBJECT: PROCUREMENT OFFICER'S DETERMINATION - J01B1600006 - PRISM COMPLIANCE MANAGEMENT SOLUTION - MODIFICATION # 1
DATE: NOVEMBER 24, 2023

JPD

NS

PURPOSE OF MEMORANDUM

To request your review and approval to forward the attached Procurement Officer's Determination (POD) to DGS-OSP's Acting Chief Procurement Officer Michael Haifley for approval to modify Contract No. J01B1600006, PRISM Compliance Management Solution (PRISM) for the Maryland Transportation Authority (MDTA).

SUMMARY

In accordance with COMAR 21.05.09.05, the MDTA is seeking approval to modify the subject Contract. This Contract was procured as an Intergovernmental Cooperative Purchasing Agreement through the National Association of State Procurement Officials (NASPO) ValuePoint Cloud Solutions Contract for the provision of all licenses, software, installation, maintenance and training for the PRISM.

ANALYSIS

A full analysis and explanation for this determination is contained in the attached POD.

REVIEWED FOR FORM AND LEGAL SUFFICIENCY:

Signature of Kimberly M. Decker
Assistant Attorney General

11/27/2023
Date

ATTACHMENT

- One (1) Procurement Officer's Determination

**MARYLAND TRANSPORTATION AUTHORITY
DIVISION OF PROCUREMENT**

Procurement Officer's Written Determination
COMAR 21.05.09.05

Contract Number: J01B1600006
Contract Title: PRiSM Compliance Management Solution
Type of Contract: Information Technology (IT)
Subject: Intergovernmental Cooperative Purchasing Agreement Modification No. One

In accordance with State Procurement Regulations COMAR 21.05.09.05, the Maryland Transportation Authority (MDTA) is seeking approval to modify its Contract, No. J01B1600006, with Insight Public Sector, Inc. to update its Scope of Work to allow for the addition of expanded mandated socioeconomic reporting requirements. This contract was procured and awarded as an Intergovernmental Cooperative Purchasing Agreement (ICPA) through the National Association of State Procurement Officials (NASPO) ValuePoint Cloud Solutions Contract for the provision of all licenses, software, installation, maintenance and training for the PRiSM Compliance Management Solution (PRiSM). The Contract was approved by the Board of Public Works on May 11, 2022 (Item No. 33-IT), with an initial term of five years with (1) two-year renewal option for a total contract amount of \$796,958.42.

The PRiSM Software Solution provides assistance to the MDTA's Division of Civil Rights and Fair Practices (CFRP) with electronic management of Minority Business Enterprise (MBE) goals, Disadvantaged Business Enterprise (DBE) goals, Equal Employment Opportunity, and/or on-the-job training (OJT) including but not limited to goal establishment, monitoring, compliance, outreach, tracking, reporting and enforcement on MDTA Contracts.

Contract Modification No. 1 will add funding in the amount of \$350,000.00 which will add 200 PRiSM user license subscriptions for CRFP and combine all MDTA's State contracts to PRiSM. The additional licenses are needed to facilitate the reporting requirements set forth by the new State mandates. These new mandates expand the reporting to not only the Federal DBE Program, but now includes the reporting of Small Business Reserve (SBR) goals, MBE goals, Veteran Owned Small Business Enterprise (VSBE) goals, and MBE Subgoals of both Federal and State contracts.

Further, additional funding in the amount of \$100,000.00 is necessary to replenish the "Miscellaneous Allowance" Contract line item. This line item was used to implement the unforeseen mandated Federal and State Wages Reports for twelve (12) jurisdictions, the creation of three (3) custom reports and upload of annual wage reports from Department of Labor (DOL) and State Department of Labor, Licensing and Regulation (DLLR). The Miscellaneous Allowance helps in anticipation of any future socioeconomic reporting requirements or program updates. Therefore, this contract modification will be in the amount of \$450,000.00, making the new total contract amount \$1,246,958.42.

Based on the above and in accordance with COMAR 21.05.09.05, the MDTA is seeking the necessary approval to modify its contract with Insight Public Sector, Inc. to add additional funding in the amount of \$450,000.00 to

facilitate further mandated socioeconomic reporting and to replenish its "Miscellaneous Allowance" line item to Contract No. J01B1600006. It has been determined to be in the State's best interest to modify this contract instead of terminating this Contract and resoliciting, as a new solicitation will be subjected to current market pricing which would be at higher cost to the State than the 2019 awarded pricing. Further, approval of this modification will provide administrative efficiencies in maintaining the current reporting infrastructure as implementation is still ongoing under the current contract. This modification is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.

Determination by:



11/24/2023

Nick Suter, CMPO
Procurement Officer, Division of Procurement

Date

Reviewed by:

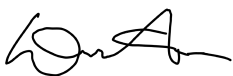


11/24/23

Jamaal Turner, CMPO
Procurement Manager, Division of Procurement

Date

Approved by:



11/27/23

Deborah Sharpless
Chief Financial Officer, MDTA

Date

DGS OSP ICPA POD for MDTA PRiSM 12.2023

Final Audit Report


2023-12-15

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"DGS OSP ICPA POD for MDTA PRiSM 12.2023" History

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 Agreement completed.

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