



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

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

Per COMAR 21.05.09.02, as a Primary Procurement Unit, the Maryland Department of General Services (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.

In accordance with COMAR 21.05.09.03B and COMAR 21.05.09.04, the DGS OSP Procurement Officer has determined that it is in the best interest of the State to procure a new indefinite delivery, indefinite quantity (IDIQ) contract to Advance Stores Company dba Advance Auto Parts from the date of the award through October 31, 2028 with option to renew for two additional two-year periods through October 31, 2032 based on the U.S. Communities contract # R-LD-23013-01 for Automotive Parts & Accessories for Light, Medium and Heavy Duty Vehicles and Related Products & Services through the ICPA procurement method.

The Prince William County Public Schools (PWCS) Department of Procurement, OMNIA Partners, and Advance Auto Parts successfully executed contract# R-LD-23013 on October 05, 2023, to establish a national cooperative contract for Automotive Parts & Accessories for Light, Medium, and Heavy Duty Vehicles and Related Products & Services.

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 a significantly longer period of time than participating in the completed ICPA, particularly since the competitive bid process has already been done by U.S. Communities. 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 21.05.09.04 (A). Moreover, participating in this ICPA is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03. The State will enter into IDIQ Requirements type contract, with all State and Local agencies placing orders against this awarded contract, thus, the value of the contract will be determined by the task orders.

This U.S. Communities contract was awarded on October 5, 2023, and will continue for five years until October 31, 2028, with the possibility of two additional renewals, which is at the discretion of U.S. Communities. The State of Maryland renewals will be based on the master contract terms and conditions, market research that will be conducted at the time of renewal, and the discretion of the U.S. Communities who issued this Request for Proposal (RFP), which resulted in the ICPA. Awarding this, ICPA will provide contracts for all locations in the State of

Maryland for Automotive Parts & Accessories for Light, Medium, and Heavy-Duty Vehicles and Related Products & Services.

In addition, the solicitation was issued by PWCS on May 24, 2023, and publicly opened on June 27, 2023. The contract was awarded to Advance Stores Company Incorporated dba Advance Auto Parts. The awarded vendor was determined to be qualified based on their ability to supply in each state and those who offered a percent off list pricing. This vendor also fully met and complied with all specifications and requirements of the solicitation, based on the total points earned in accordance with the evaluation criteria of the RFP. Therefore, It is in the best interest of the State to participate in these ICPAs by awarding the IDIQ contract to Advance Stores Company dba Advance Auto Parts.

By utilizing the ICPA procurement method to purchase Maryland Automotive Parts & Accessories, DGS and other agencies will receive fair and reasonable prices that were competitively procured. The contract pricing meets the requirements for the ICPA under COMAR 21.05.09.01B (2) (a). Market research was conducted, and it has been determined that the price discount was within equitable price ranges, given the fact that each part/supply may require customization, and the price discount is applied to the base price. This contract will allow the requesting agencies that include units within the Maryland Department of Transportation to purchase Automotive Parts & Accessories for Light, Medium, and Heavy Duty Vehicles and Related Products & Services at a discount off list prices between 35% - 65%. This contract will also be used by other local governments and municipalities in the State to purchase Automotive Parts & Accessories at the same reduced price.

Additionally, the State Department of Assessments and Taxation has confirmed that Advance Auto Parts is registered to conduct business within Maryland in compliance with state laws, and I have confirmed that the vendor has no pending tax obligations in Maryland.

Based upon the analysis and market research conducted noted above for Automotive Parts & Accessories for Light, Medium and Heavy Duty Vehicles and Related Products & Services, I have 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.



04/04/24

Enayatullah Rayhan, Procurement Officer, DGS OSP / Date



04/04/24

Jamie Tomaszewski, Acting Deputy Chief Procurement Officer / Date



03/04/24

Atif Chaudhry, Secretary, DGS / Date












DGS OSP ICPA POD for Auto Parts

Final Audit Report

2024-04-04

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