


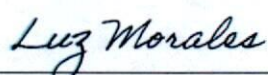


**Intergovernmental Cooperative Purchasing Agreement Procurement Officer
Determination**
COMAR 21.05.09.04

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.

In accordance with State Procurement Regulations, COMAR 21.05.09.05, the Maryland Transportation Authority (MDTA) is seeking approval to award a contract with Kapsch TrafficCom USA Inc. (Kapsch) and TransCore LP. (TransCore) utilizing the E-ZPass Inter-Agency Group's (IAG) Next Generation Electronic Toll Collection Equipment and Services Contract via an Intergovernmental Cooperative Purchase Agreement (ICPA) for E-ZPass Technology. The MDTA has received approval from the Maryland Office of State Procurement (OSP) to utilize this Contract for the provision of Electronic Toll Collection Equipment and Services.

In accordance with COMAR 21.05.09.04, the MDTA has conducted market research and has determined that the pricing submitted by both Kapsch and TransCore to be fair and reasonable in comparison with historic pricing from MDTA Contract, 20110031 for Kapsch Transponders. The research shows a price decrease in the range of 0-8% when comparing similar transponder offerings. 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.

Approved By:

 Brandford Quartey, Procurement Officer, DGS OSP	May 22, 2024 Date
 Luz Morales, Procurement Officer, DGS OSP	May 22, 2024 Date
 <small>J. TOMASZEWSKI (May 24, 2024 10:21 EDT)</small> Jamie Tomaszewski, Acting Deputy Chief Procurement Officer, DGS	24/05/24 Date
 Atif Chaudhry, Secretary, DGS	22/05/24 Date



Maryland
Transportation
Authority

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Aruna Miller, Lt. Governor
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Bruce Gartner, Executive Director

MEMORANDUM

TO: CHIEF FINANCIAL OFFICER, DEBORAH SHARPLESS
FROM: PROCUREMENT OFFICER, JAMAAL TURNER ^{OT}
THROUGH: DIRECTOR OF PROCUREMENT, DONNA DICERBO, CPPO, CPPB
SUBJECT: REQUEST FOR INTERGOVERNMENTAL COOPERATIVE PURCHASING
AGREEMENT AWARD APPROVAL FOR NEXT GENERATION
E-ZPASS TECHNOLOGY
DATE: APRIL 29, 2024

PURPOSE OF MEMORANDUM

To request your review and approval of the attached Procurement Officer’s Determination (POD) seeking MDOT Chief Procurement Officer’s Valerie Radomsky’s approval to award the E-ZPass Inter-Agency Group (IAG) Next Generation Contract for E-ZPass Technology for the Maryland Transportation Authority (MDTA).

SUMMARY

In accordance with COMAR 21.05.09.05, the MDTA is seeking approval to award contracts for the provision of Next Generation Electronic Toll Collection Technology and Associated Subsystem Components and Services for the operation of the E-ZPass Toll Collection Systems. Technology and services including but not limited to E-ZPass Transponders, Readers, and Antennas used to collect toll revenue from MDTA-maintained bridges and tunnels.

ANALYSIS

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

REVIEWED AS TO FORM AND LEGAL SUFFICIENCY:

Assistant Attorney General

ATTACHMENT

- One (1) Procurement Officer’s Determination

**MARYLAND TRANSPORTATION AUTHORITY
DIVISION OF PROCUREMENT**

Procurement Officer's Written Determination
COMAR 21.05.09

Contract Title: Next Generation E-ZPass Technology – Kapsch and TransCore
Type of Contract: Commodity
Subject: Intergovernmental Cooperative Purchasing Agreement
Procurement Officer's Determination for Approval of Award

In accordance with State Procurement Regulations, COMAR 21.05.09.05, the Maryland Transportation Authority (MDTA) is seeking approval to award a contract with Kapsch TrafficCom USA Inc. (Kapsch) and TransCore LP. (TransCore) utilizing the E-ZPass Inter-Agency Group's (IAG) Next Generation Electronic Toll Collection Equipment and Services Contract via an Intergovernmental Cooperative Purchase Agreement (ICPA) for E-ZPass Technology. The MDTA has received approval from the Maryland Office of State Procurement (OSP) to utilize this Contract for the provision of Electronic Toll Collection Equipment and Services.

Proof of Benefit to the State – COMAR 21.05.09.04B

The Procurement Officer's Determination Memorandum (POD) for Next Generation E-ZPass Technology ICPA Approval was executed on April 12, 2023, and states the E-ZPass IAG is an association of 24 toll agencies in 14 states operating the E-ZPass Electronic Toll Collection program. The mission of the IAG is to enable E-ZPass members and affiliated toll operators which provide the public with a seamless, accurate, interoperable electronic method of paying tolls and fees while preserving and enhancing the E-ZPass program. Due to the purchasing potential, bulk discounts for large volume purchases are extended by vendors to the members utilizing the IAG contracts. Currently, IAG members purchase approximately 3 – 4 million transponders annually, thus the MDTA will benefit under this ICPA from the collective purchasing volume of the significantly larger E-ZPass group.

In April 2022, the IAG, led by North Carolina's Turnpike Authority, awarded it's "Next Generation" Toll Collection Technology Contract. This Contract is meant to be used as a vehicle to promote competitive pricing and options for all states that utilize E-ZPass Electronic Toll Collection as members of the IAG. The Contract solicited as a Request for Proposal (RFP), was awarded on a line-by-line basis to multiple vendors approved by the IAG "Next Gen" Review Committee to provide E-ZPass Equipment and Services. As new toll collection technology and providers become available, the review committee evaluates the offerings of the technology and these providers. If the technology is approved, contract awards go to the approved vendors for use through the E-ZPass IAG. Subsequently, the MDTA seeks to enter into contracts with each awarded Contractor to provide the best pricing available on a per line basis. Entering into these Contracts will provide MDTA multiple viable options for toll collection technology and proactively avoid possible supply chain issues.

Provides Cost Benefits to State and Promotes Administrative Efficiencies - COMAR 21.05.09.04C

As members of the E-ZPass IAG, the MDTA seeks to award contracts under this ICPA to maximize the effectiveness of the discounted bulk pricing the IAG receives. Entering into these Contracts will also provide cost benefits to the State and promote administrative efficiencies, as the complex terms and conditions inherent to this type of contract, for a commodity with an "IT component", have already been negotiated. Accordingly, Contracts under this ICPA will significantly reduce the amount time needed to evaluate and award a contract of this scope.

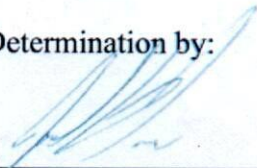
In accordance with COMAR 21.05.09.04, the MDTA has conducted market research and has determined that the pricing submitted by both Kapsch and TransCore to be fair and reasonable in comparison with historic pricing from MDTA Contract, 20110031 for Kapsch Transponders. The research shows a price decrease in the range of 0-8% when comparing similar transponder offerings.

Summary

For the foregoing reasons, and again in accordance with COMAR 21.05.09.04, the Procurement Officer has determined it is in the State's best interest to approve the award of the E-ZPass Inter-Agency Group's Next Generation Electronic Toll Collection Equipment and Services Contracts as approved prior in the executed April 12, 2023, ICPA Approval POD, as it will provide cost benefits to the State and promote administrative efficiencies and is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.

In accordance with COMAR 21.05.09.04, this ICPA Approval of Award Determination shall be posted on Office of State Procurement's website.

Determination by:

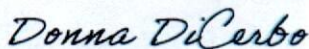


4/29/2024

Jamaal Turner, CMPO
Procurement Officer, Division of Procurement

Date

Reviewed by:



4/30/2024

Donna DiCerbo, CPPO, CPPB
Director, Division of Procurement

Date

Approved by:



4/30/24

Deborah Sharpless
Chief Financial Officer, MDTA

Date