



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 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 State Procurement Regulations COMAR 21.05.09.04, the DGS OSP Procurement Officer, on behalf of the Maryland State Department of Education (MSDE), has determined that it is in the best interest of the State to procure a new contract with Bell Techlogix for Adobe Creative Cloud licenses, utilizing the Howard Community College Enterprise Term License Agreement for participating members of the Maryland Education Enterprise Consortium (MEEC) through the ICPA procurement method.

The MEEC provides its members with contracts to purchase IT hardware, software and technology related services at discounted rates. Membership is open to public and private K-20 educational institutions, federal institutions, and public libraries in the state of Maryland. Adobe products are available from Bell Techlogix under MEEC's Cumulative Licensing Agreement and the MEEC Adobe Systems Enterprise Term License Agreement. These agreements allow its members to purchase Adobe software at discounted rates.

To establish price reasonableness, Bell Techlogix's cost per license was compared to the cost per license offered under GSA contract # 47QSWA18D008F. This showed that even with the 4% discount from list price that GSA offers, MSDE is still receiving the most advantageous pricing under MEEC's Adobe Systems Enterprise Term License Agreement.

Since Bell Techlogix's prices were obtained through a competitive procurement conducted by MEEC, and the DGS OSP Procurement Officer has determined the price reasonableness of the contract rates, the reduction in administrative burdens on the State by not having to conduct a stand-alone competitive procurement is realized by this ICPA procurement. Additionally, this ICPA procurement will reduce the length of time for delivery of the solution to further reduce the administrative burden and will ensure transparency to the citizens of Maryland. The use of the ICPA method is not intended to evade the purposes set forth under COMAR 21.01.01.03 or State Finance and Procurement (SFP) § 13-110.

Based upon the analysis and market research conducted noted above for Adobe Creative Cloud licenses, 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.

Amanda Longacre

08/23/2024

Amanda Longacre, Procurement Officer, DGS OSP / Date

Linda Dangerfield

[Linda Dangerfield \(Aug 23, 2024 13:42 EDT\)](#)

08/23/2024

Linda Dangerfield, Deputy Chief Procurement Officer, DGS OSP / Date

Atif Chaudhry

08/29/2024

Atif Chaudhry, Secretary, DGS / Date

Transmittal Form


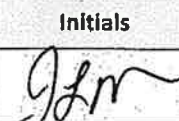

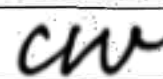
For review by: Carey M. Wright, Ed.D.
State Superintendent of Schools

Date Submitted: July 10th, 2024

☐ Please forward to Carey M. Wright, Ed.D. for signature upon approval

☐ Please return to Yesenia Jarrett upon approval

Action	Review and Approve
Deadline	July 10 th , 2024
Urgency	<input checked="" type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low
Purpose	Procurement Officer's Determination for Use of Intergovernmental Cooperative Purchasing Agreement Per COMAR 21.05.09.04 – Contract # FY25-OIT-001/ 21P-002 – Maryland Education Enterprise Consortium (MEEC) for Adobe Systems, Inc Agreements
Summary	The Maryland State Department of Education ("MSDE") through the Department of General Services (DGS), seeks to execute a Participating Addendum ("Participating Addendum") under the Maryland Education Enterprise Consortium Contract # 21P-002 ("MEEC Contract"). MEEC strives to make governmental procurement more efficient by establishing agreements that allow MEEC members to efficiently purchase Adobe software at negotiated rates. The Maryland Education Enterprise Consortium members will identify major educational technology initiatives through committed collaboration that can be supported by a coordinated procurement and contracting process for educational, academic, and research non-profit organizations.
Primary Contact	Name: Yesenia Jarrett Title Business Services Coordinator Branch/Office: Office of Procurement and Contracts Management Email: Yesenia.jarrett@maryland.gov Phone Number: 410-767-7549

Name	Name	Name	Name	Name	Superintendent
Yesenia Jarrett	Jenna Meini	Krishnanda Tallur			Carey M. Wright, Ed.D.
Date	Date	Date	Date	Date	Date
7/10/24	7/10/24	Jul 29, 2024			
Initials	Initials	Initials	Initials	Initials	Initials
					

TO: Walter Sermons, Acting Chief Procurement Officer, Office of State Procurement, DGS

FROM: Yesenia Jarrett, Business Services Coordinator, Office of Procurement & Contract Management, MSDE

DATE: July 10th, 2024

SUBJECT: Procurement Officer's Determination for Use of Intergovernmental Cooperative Purchasing Agreement Per COMAR 21.05.09.04 – Contract # FY25-OIT-001/ 21P-002 – Maryland Education Enterprise Consortium (MEEC) for Adobe Systems, Inc Agreements

Introduction

The Maryland State Department of Education ("MSDE") through the Department of General Services (DGS), seeks to execute a Participating Addendum ("Participating Addendum") under the Maryland Education Enterprise Consortium Contract # 21P-002 ("MEEC Contract"). MEEC strives to make governmental procurement more efficient by establishing agreements that allow MEEC members to efficiently purchase Adobe software at negotiated rates. The Maryland Education Enterprise Consortium members will identify major educational technology initiatives through committed collaboration that can be supported by a coordinated procurement and contracting process for educational, academic, and research non-profit organizations. It was awarded by a public competitive procurement process compliant to Maryland State Procurement statutes.

Background and Purpose

MSDE is developing a multi-year Strategic Plan that will be released in three phases, and will anchor the vision, mission, values, priorities, enablers, goals, and flagship programs, initiatives, and strategies to the Blueprint for Maryland's Future's promise of an excellent and equitable education for every student. The Strategic Plan will anchor and reinforce the Blueprint legislation into the organizational fabric of our everyday work and will embody the aspirations that the people of Maryland have for our students. MSDE seeks to reinforce the strategic plan by continuing the use of Adobe's service which allows for more efficient collaboration and creativity across its platform.

Adobe Creative Cloud provides access to a comprehensive collection of creative tools, including Photoshop, Illustrator, InDesign, Premiere Pro, and more. These applications offer innovative features, allowing our members to unleash their creativity and produce high-quality work efficiently. From graphic design to video editing, Adobe Creative Cloud empowers creative professionals to bring their ideas to life. This software is also buildable and will allow MSDE to add on as the institution grows in its needs as it pertains to the strategic plan. Adobe Creative Cloud is a suite of industry-leading software applications designed specifically for creative professionals, offering a wide range of tools and services that are invaluable for the success and growth of our institution with key features listed below.

- Enhanced Creativity and Productivity
- Seamless Collaboration and Communication
- Industry Standard Software
- Cost-Efficiency and Flexibility

Procurement Overview

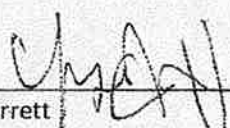
Adobe Creative Cloud for MSDE will undoubtedly continue to enhance the creative capabilities, collaboration, and professional development opportunities for our members. Its extensive suite of applications, industry-standard status, and cost-effective subscription model make it the ideal choice for MSDE. Renewing Adobe Creative Cloud, we reaffirm its commitment to providing the best resources and fostering the growth of administrative and creative professionals. The pricing of all items have remained the same over the course of the contract since 2021.

MSDE using the MEECs contract will secure pricing providing access for 1400 employees at \$60.68 per license for the creative cloud apps which includes one thousand shared device licenses and allowing the addition of photoshop elements and adobe sign for the additional pricing, this expands MSDE's access allowing for greater efficiency- which aligns with the State's commitment to accountability as it pertains to our operational outcomes in accordance with the Strategic Plan. MSDE reviewed and compared GSA pricing provided list for Adobe Enterprise and saw a comparable difference with the cost at \$86.74 compared to the MEEC's pricing at \$60.68 per license, which further ensures the commitment of cost savings for the State and promote administrative efficiencies through intergovernmental cooperation.

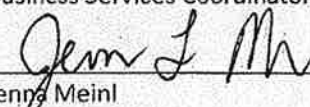
Recommendation for Award

As the procurement officer, I concur with the award recommendation of the program to recommend Bell Techlogix as the proposed awardee, with a total contract award is \$ \$95,585.88. The use of this ICPA procurement method is determined to be in the best interest of the State. It will facilitate a more efficient and effective delivery of goods, services and/or solutions, reduce the time period between the purchase and delivery of the solution to MSDE, provide cost saving to the State, reduce the administrative burden on the State, and promote Intergovernmental Cooperation by using the MEEC contract. The use of the Intergovernmental Cooperative Procurement method is not intended as a means to evade the purposes set forth under COMAR21.01.01.03 or State Finance and Procurement, Section 13-110. This ICPA is in the best interest of the State and is not intended to evade the purposes set forth under COMAR 21.01.01.03 or State Finance and Procurement, Section 13.110.

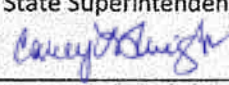
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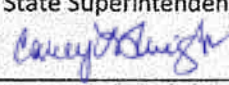
Yesenia Jarrett
Business Services Coordinator, OPCM



Jenna Meini
Director, OPCM



Krishnanda Tallur
Deputy State Superintendent



Carey M. Wright, Ed.D.
State Superintendent of Schools



Date



Date

Jul 29, 2024

Date

Date

7-29-2024

Date












DGS OSP ICPA POD Adobe Creative Cloud

Final Audit Report

2024-08-29

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By:	JAMIE TOMASZEWSK (JAMIE.TOMASZEWSKI@MARYLAND.GOV)
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