



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 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, “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 OMNIA PARTNER master agreement# EV2671 to Club Car LLC for Utility, Transportation and Golf Vehicles plus Related Accessories, Equipment, Parts and Services 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 a significantly longer period of time than participating in the completed ICPA, particularly since a competitive bid process has already been completed by OMNIA. 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 total contract value will be determined by the work orders. However, the estimated spend on the contract is around \$500,000 per year. This statewide contract is intended to decrease the occurrence of emergency or small procurements when sudden Utility, Transportation and Golf Vehicles plus Related Accessories, Equipment, Parts, and Services are needed.

The solicitation was issued on June 12, 2019, and publicly opened on July 23, 2019. A contract was awarded to Club Car LLC. Club Car LLC was determined to be qualified based on their ability to provide Utility, Transportation and Golf Vehicles plus Related Accessories, Equipment, Parts, and Services. This vendor fully met and complied with all specifications and requirements of the solicitation in accordance with the evaluation criteria of the RFP.

The OMNIA Partners contract is between KANSAS CITY, MISSOURI, a constitutionally chartered municipal corporation (“CITY”), and Club Car LLC (“CONTRACTOR”), and was approved for an initial Seven-year (7) term through December 31, 2026, with a four (4) additional one (1) year options renew (through December 31, 2030), at the discretion of Omnia Partner. 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 OMNIA Partner 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 Utility Vehicles, transportation vehicles, golf vehicles, low-speed vehicles, accessories and equipment, parts, and related products and services.

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). Market research was conducted, and it has been determined that the pricing was within equitable price ranges. Pricing is based on a discount off Club Car's US Suggested List Price (MSRP). Based on the subcategory purchased, the discount range provided by Club Car, LLC, is from 5% to 40%.

Additionally, the State Department of Assessments and Taxation has confirmed that Club Car LLC 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.

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 Club Car LLC 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.



09/19/2024

Enayatullah Rayhan, Procurement Officer, DGS OSP / Date


[Linda Dangerfield \(Sep 19, 2024 16:29 EDT\)](#)

09/19/2024

Linda Dangerfield, Deputy Chief Procurement Officer / Date



09/19/2024

Atif Chaudhry, Secretary, DGS / Date

DGS OSP ICPA POD Memo 2024 Club Car LLC

Final Audit Report


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