



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 Baltimore County Public Schools (BCPS) contract NTA-506-25 to Deere & Company for Grounds Maintenance Supplies is in the best interest of the State based upon the reasons stated below.

The proposed pricing contract 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 BCPS. 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 contract; therefore, the total contract value will be determined by the work orders. However, the estimated spend on the contract is around \$1,000,000. per year. This statewide contract is intended to assist State agencies with their needs for grounds maintenance supplies and equipment as needed.

The BCPS contract was awarded by the Board of Education on November 4, 2024 for a contract period of five (5) years, effective upon approval. No renewal options are available. Awarding this ICPA will provide a contract for State facilities within the State of Maryland through November 4, 2029.

The solicitation was issued on September 3, 2024 and publicly opened on September 23, 2024. A contract was awarded to Deere & Company as an authorized vendor. Deere & Company was determined to be qualified based on their ability to provide grounds maintenance including but not limited to mowers, tractors, spreaders, ball diamond machines, brush equipment, tires and portable power equipment. This vendor fully met and complied with all specification and requirements of the solicitation, in accordance with the evaluation criteria of the IFB.

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). The percentage off manufacturer pricing across fourteen (14) subgroups of grounds maintenance supplies and equipment varies from 5% to 25%, which is competitive with similar grounds maintenance supply companies of Deere & Company's size. While Deere & Company's gross revenue in Maryland between 2023 and 2024 declined by 8% an increase of 98% was reported between 2021 and 2023.

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 Deere & Company of Cary, NC as awarded on the Baltimore County Public Schools contract NTA-506-25, 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.

Matthew Smith

02/10/2025

Matthew Smith, Procurement Officer, DGS OSP / Date

Linda Dangerfield
Linda Dangerfield (Feb 18, 2025 10:15 EST)

02/18/2025

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

Atif Chaudhry

02/20/2025

Atif Chaudhry, Secretary DGS / Date











DGS OSP ICPA POD for Deere & Company Grounds Maintenance Supplies


Final Audit Report

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