



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 Quantity, Indefinite Delivery Contract based on the Mid-Atlantic Purchasing Team and the Board of Education of Baltimore County’s Master Agreement No. JBO 716-19 and JBO-717-19 to Modular Genius, Inc. for participating in the Leasing and Purchasing Agreement for modular classrooms is in the best interest of the State based on the reasons stated below.

This Solicitation was issued on February 13, 2019, and publicly opened on March 13, 2019. A contract was awarded to Modular Genius, Inc. because the Mid-Atlantic Purchasing Team and the Board of Education of Baltimore County has determined that Modular Genius, Inc. is qualified based on Modular Genius, Inc.’s ability to provide competitive prices for modular trailer spaces and classrooms. Furthermore, this vendor fully met and complied with all specifications and requirements of the solicitation in accordance with the evaluation criteria of the Request for Proposals (RFP).

The Master Contract between the Mid-Atlantic Purchasing Team, the Board of Education of Baltimore County and Modular Genius, Inc. was approved for an initial five (5) year term and was modified to extend through May 31, 2025. This modification contained no renewal options, per the discretion of the Mid-Atlantic Purchasing Team and the Board of Education of Baltimore County. This modification was effective November 8, 2024. Awarding this ICPA will provide using agencies throughout the State of Maryland, with modular classrooms and trailers.

A competitive standalone procurement would take significantly longer than participating in the completed ICPA. A competitive bid process has already been completed by the Mid-Atlantic Purchasing Team and the Board of Education of Baltimore County, and the State cannot match the Mid-Atlantic Purchasing Team’s economies of scale. Additionally, the amount of effort needed to conduct this ICPA is considerably less than a standalone procurement would demand. The ICPA method, therefore, promotes administrative efficiencies. This statewide contract will


also decrease the occurrence of emergency or small procurements when modular classrooms and trailers are needed, which further promotes efficient State operations.

Based on this independent analysis, I have determined that it is in the best interest of the State of Maryland to participate in this intergovernmental cooperative purchasing agreement and issue an Indefinite Quantity, Indefinite Delivery contract to Modular Genius, Inc. and that doing so will provide cost-effective benefits to the State of Maryland, promote administrative efficiencies as well as increase intergovernmental cooperation. This determination is not intended 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.

Tierra Ali-Said

02/25/2025

Tierra Ali-Said, Procurement Officer, DGS OSP / Date


Linda Dangerfield (Mar 10, 2025 14:26 EDT)

03/10/2025

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



03/13/2025

Atif Chaudhry, Secretary, DGS / Date












DGS OSP ICPA POD for Modular Genius

Final Audit Report

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