

**OMNIA Partners' under Master Agreement No. 2018011-02,
led by the City of Mesa, Arizona.
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.

This third modification to the existing contract is being made as a result of a retroactive finding that arose during the initiation of a new contract. It aligns the term of the statewide contract with the extension approved by OMNIA Partners on May 30, 2024, under Master Agreement No. 2018011-02, led by the City of Mesa, Arizona. The Intergovernmental Cooperative Purchasing Agreement (ICPA) that the Department of General Services – Office of State Procurement (DGS – OSP) seeks to amend was originally approved by the Board of Public Works (BPW) on April 19, 2023, as Item 41-IT Supplemental. Continued use of the current ICPA will streamline the procurement process and maximize cost avoidance for participating state agencies.

A comparison of the current contract pricing reveals that the State will receive cost benefits from extending the contract. DGS compared multiple line items of SHI International Corporation's for the current ICPA against their pricing available on the General Services Administration's (GSA), multiple award schedule price list. Two line items for the same requested software offered under both contracts were compared and it was determined that OMNIA's prices were lower in both instances. No MBE or VSBE participation was established for this contract because there are no subcontracting opportunities as this contract remains solely for the purchase of software licenses and software license renewals.

During the process of initiating new contracts to Purchase Microsoft Licensing Packages under an Intergovernmental Cooperative Purchasing Agreement (ICPA) with CDW Government LLC (hereafter known as "CDW-G") and SHI International Corporation (hereafter known as "SHI"), via Master Agreement No's. 2024056-01 and 2024056-02, it was identified through our financial database, ANSWERS, that the funds on the BPO had been overdrawn by \$16,408,747.34. This overage resulted from MDOT's inability to access our financial system, FMIS. As a result, MDOT secured a total of \$19,614,350.48 through separate BPOs outside of FMIS. Consequently, these expenditures, which were intended to support the funding for this modification, are not reflected in the Statewide BPO and are therefore considered retroactive in nature.

The error in this instance was not detected in a timely manner, which has allowed the Department of General Services (DGS) an opportunity to reassess and improve the tracking of payment retrievals. As a result, it has been determined that a monthly report will be provided to DGS to ensure continuous monitoring and to prevent similar issues from arising across all statewide contracts. Additionally, DGS has appointed a Contract Manager to assist with overseeing overall compliance for the Omnia - led by the City of Mesa, Arizona ICPA Microsoft Licensing Package Contract.

The identified retroactive amount is \$17,130,062.86, and the proactive amount is \$14,000,000.00, resulting in a total modification amount of \$31,130,062.86. In accordance with state procurement regulations, any retroactive contract must be submitted to the Board of Public Works (BPW) for approval to ensure compliance with applicable laws and policies. Accordingly, the Department of General Services – Office of State Procurement (DGS–OSP) will be seeking BPW approval for this modification.

In accordance with COMAR 21.03.01.03.01, this modification addresses the financial discrepancies stemming from MDOT’s and DGS’s inability to access each other’s financial systems. To resolve these issues, DGS is adjusting the contract to account for financial commitments made to date and is increasing the contract value by \$14,000,000.00. This action is necessary to resolve the current contract issues and to provide sufficient time for the preparation of the new contract, allowing the awardee adequate opportunity to review and finalize all required arrangements. Continued use of the current ICPA will streamline the procurement process and maximize cost avoidance for participating state agencies.



05/01/2025

Maureen Loiseau, Procurement Officer, DGS OSP / Date



05/01/2025

[Christopher Hautala \(May 1, 2025 13:15 EDT\)](#)

Christopher Hautala, Acting AD for IT & Professional Services, DGS OSP / Date



05/02/2025

[Kareen Davis \(May 2, 2025 14:57 EDT\)](#)

Kareen Davis, Director of Procurement, DGS OSP / Date



05/12/2025

[Linda Dangerfield \(May 12, 2025 11:16 EDT\)](#)

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



05/21/2025

Atif Chaudhry, Secretary DGS / Date











DGS OSP ICPA POD MOD for SHI OMNIA Microsoft

Final Audit Report

2025-05-21

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