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September 17, 2018

**Procurement Officer's Written Determination**  
**(COMAR 21.05.09.04)**

**Contract Title/Number:** Process Server Services for the Department of Human Services' (DHS) Wicomico County Department of Social Services (WCDSS);

**Type:** Services

Why was an Intergovernmental Cooperative Purchasing Agreement chosen as the procurement method rather than a Competitive Sealed Procurement?

**I. History of the Procurement**

DHS's local department of social services, WCDSS, located on the Eastern Shore previously procured the services of Legal Papers Inc. via a small procurement to facilitate Process Server Services. The small procurement did not afford WCDSS with aggressive pricing due to its limited contract value and service territory (Eastern Shore only).

On 3/28/2018 the Board of Public Works (BPW) approved a new competitively bid Statewide contract award for DBM to Legal Papers Inc., the incumbent contractor for both the DBM Statewide contract and the WCDSS small procurement contracts (DBM Item 5-S). Accordingly, DBM received very competitive pricing for the new contract, and now WCDSS would like to piggyback on the DBM Statewide contract to avail WCDSS with a significant price reduction from the prices procured by WCDSS under its own small procurements. Currently, WCDSS is paying a unit price of \$44.00 for perfected service. Under the recently approved DBM Statewide contract, the unit price for perfected service is \$30.00, a substantial savings of 47% per unit.

**II. Statutory Factors**

Moreover, DBM's determination is that this IGCPA request from DHS meets the COMAR requirement as stated in 21.05.09.04. By participating in this IGCPA it will result in cost benefits to the State, promote administrative efficiencies, promote intergovernmental cooperation and is not intended as a means to evade the purposes of set forth under COMAR 21.01.01.03.

**III. Conclusion**

Therefore, it is in the State's best interest for WCDSS to procure the services of Legal Papers, Inc. through an Intergovernmental Cooperative Purchasing Agreement with DBM to: (1) Provide cost benefits to the State, (2) Promote administrative efficiencies, and (3) Promote intergovernmental cooperation. Additionally, this procurement is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.

Determination by:  9/17/2018  
Jamie Tomaszewski, Chief of Procurement Officer Date

Approved by:  9/17/18  
Marc Nicole, Deputy Secretary Date