



## State of Maryland Department of Information

LARRY HOGAN  
Governor  
BOYD K. RUTHERFORD  
Lieutenant Governor

MICHAEL G. LEAHY  
Secretary  
LANCE SCHINE  
Deputy Secretary

### MEMORANDUM

DATE: March 22, 2019

TO: All Using Agencies

FROM: Sachin Bhatt  
Director, DoIT IT Procurement and Contract Management

SUBJECT: New Master Contracting Regulations Effective March 11, 2019

### **NEW REGULATIONS NOW IN EFFECT - COMAR 21.05.13 MASTER CONTRACTING**

State Procurement professionals are advised to review the newly published Master Contracting regulations at COMAR 21.05.13, effective as of March 11, 2019. These new regulations define the popularly used “Master Contracts,” its use by designated Agencies, establish secondary competition procedures and requirements, as well as establish new requirements regarding delegated approval authority and eMaryland Marketplace (eMM) reporting of awards. Agency procurement officers should carefully review these changes for adjustment to, or implementation of, new internal procurement processes including any adjustments to in-progress procurements’ timelines.

DoIT is in-process of updating our respective Master Contracts’ procedure pages, the DoIT & BPW Approval Authority Chart, ITPO/BPW submission guidance pages, and ITPO Document Checklists across our website. *Please bear with us as updates take place over the next few weeks.*

#### ***I. PERTINENT HIGHLIGHTS OF THE NEW REGULATIONS***

- a.** The establishment of new Master Contracts is limited to DBM, DGS, DoIT, and MDOT.
- b.** “Master Contract” refers specifically to those contracts “subject to a secondary competition for the awarding of work.”
- c.** Secondary Competition requirements apply to PORFPs, TORFPs, and RFRs. This includes all IT Master Contracts utilizing the PORFP process for IT goods, such as Hardware 2012 and PBX III.
- d.** TORFP award management must now include performance evaluation procedures.
- e.** All secondary competition awards over \$50,000 must be posted on eMM.
- f.** All secondary competition awards, renewal option exercises, and modifications valued over \$200,000 now require Board of Public Works approval.



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### **II. CHANGES TO DOIT SUBMISSION PROCESSES**

Generally, DoIT's submission procedures for purchases under our Master Contracts remain unchanged. Procurement Officers are advised to continue following published procedures for each Master Contract, as listed on our webpages. PORFP/TORFP/RFR Awards, Mods, and Option exercises valued over \$200k will have the additional requirement of a BPW Agenda item, to be submitted with the award package, and in accordance with our current [procedures](#).

**PLEASE NOTE:** All secondary competition POs and BPOs in ADPICS requiring DoIT approval should be coded as Purchase Type "I1", and those requiring BPW approval should be coded as "I2." Agency ADPICS originators are responsible for ensuring that approval paths populate the correct DoIT (Dept 060P1 Lev 500-800) and BPW inboxes (Dept D05 Lev 700), as applicable.

### **III. NEW AGENDA ITEM TEMPLATE FOR SECONDARY COMPETITION ACTIONS**

Provided with this memo is a copy of the new BPW Agenda Item template for secondary competition actions. Please utilize this template and provide a completed copy with all applicable PORFP/TORFP/RFR award packages subject to the new regulations.

**PLEASE NOTE:** BPW Submission cutoff dates, as previously published for [2019](#) are NOT changed as a result of the new regulations. Procurement officers should factor any additional approval requirements into their procurement's timeline to award.



Thank you all for your continued support and cooperation. Please contact the Information Technology Procurement Office at [ITPO.DoIT@Maryland.Gov](mailto:ITPO.DoIT@Maryland.Gov) for any clarifications or questions regarding any of the updates and guidance provided in this memo.



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**Department of Information Technology**

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**MEMORANDUM**

DATE: March 29, 2018

TO: All Using Agencies

FROM: Sachin Bhatt  
Director, DoIT IT Procurement and Contract Management

SUBJECT: REVISION to March 22, 2018 Policy Memo  
New Master Contracting Regulations Effective March 11, 2019

On March 22, 2019, DoIT issued a policy memo providing guidance on the new master contracting regulations. After discussion with the BPW, DoIT provides below a revision to its previous memo and supplemental guidance.

**Revised Guidance**

DoIT previously stated:

All secondary competition POs and BPOs in ADPICS requiring DoIT approval should be coded as Purchase Type “I1”, and those requiring BPW approval should be coded as “I2.” Agency ADPICS originators are responsible for ensuring that approval paths populate the correct DoIT (Dept 060P1 Lev 500-800) and BPW inboxes (Dept D05 Lev 700), as applicable.

Please discard such guidance as it is revised. There should **not** be any changes on the FMIS side as a result of the new Master Contracting regulations. The BPW already approved the Master Contract on a BPW Agenda item, with the ADPICS BPO associated with that item forwarded to the D05 (BPW) box in ADPICS for approval of the full master contract dollar amount. Any purchase/task orders that are later issued off of that master contract BPO should not be forwarded to the BPW's D05 ADPICS box, as the BPW has already approved the full master contract amount.



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**Supplemental Guidance**

DoIT received questions on when renewal options and modifications to secondary competition awards require BPW approval. Such options and modifications require BPW approval in two instances:

- 1) The option or modification is valued over \$200,000; or
- 2) The option or modification is to a delegated contract that causes the overall value of the contract to exceed \$200,000.

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Thank you all for your continued support and cooperation. Please contact the Information Technology Procurement Office at [ITPO.DoIT@Maryland.Gov](mailto:ITPO.DoIT@Maryland.Gov) for any clarifications or questions regarding any of the updates and guidance provided in this memo.