

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**August 1, 2018**



*Contact: Michael Leahy (410) 697-9680  
Michael.Leahy@maryland.gov  
Carla Thompson (410) 260-6155  
Carla.Thomson@maryland.gov*

**2-IT. DEPARTMENT OF INFORMATION TECHNOLOGY**  
***Maryland State Department of Education***

**Contract ID:** Virtual Educational Learning Management System  
ADPICS BPO No.: 060B8400016

**Contract Description:** Provide Statewide services related to a Virtual Educational Learning Management System.

**Award:** itsLearning, Newton, MA

**Term:** 9/1/2018 – 8/31/2021 (3-year base w/two 2-year options)  
9/1/2021 – 8/31/2023 (1<sup>st</sup> option (2 years))  
9/1/2023 – 8/31/2025 (2<sup>nd</sup> option (2 years))

**Amount:** \$290,000 (3-year base)  
\$180,000 (1<sup>st</sup> option (2 years))  
\$180,000 (2<sup>nd</sup> option (2 years))  
\$650,000 Total

**Procurement Method:** Competitive Sealed Proposals

**Proposals:**

Offeror	Location	Ranking			
		Technical	BAFO Financial	Evaluated Price	Overall Rank
itsLearning	Newton, MA	2	1	\$370,000	1
Instructure, Inc.	Salt Lake City, UT	1	2	\$662,200	2

**Incumbent:** Blackboard Inc.

**MBE Participation:** None

**Remarks:** The Department of Information Technology released an RFP for a Statewide Virtual Educational Learning Management System (VELMS). This type of system provides online courses for students and educators, collaboration through electronic communities, resources for education, and professional learning opportunities; thereby increasing the effective integration of technology in schools. Semester courses are offered online. The VELMS is provided to students and teachers in Maryland public schools to further their education and to provide professional development. The State determined to purchase an existing, developed solution as opposed to pursuing a system development project.

Supplement D  
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**2-IT. DEPARTMENT OF INFORMATION TECHNOLOGY** *(cont'd)*  
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**Remarks:** *(cont'd)*

MSDE and DoIT designated the RFP to be an enterprise solution with MSDE conducting the procurement on the State's behalf and also making the first purchase. The RFP was posted on *eMarylandMarketplace.com* and nine vendors were directly solicited. No MBE or VSBE goals were set as the scope of work is not subcontractable.

MSDE received four proposals by the November 1, 2017 deadline; a fifth proposal was submitted late and not accepted. Two of the four offerors took exceptions to the RFP and contract terms. MSDE, DoIT, and OAG had multiple discussions to resolve the exceptions. These discussions began in November and did not conclude until April. The State was able to resolve the exceptions of Instructure Inc.

The incumbent on MSDE's current contract is the other offeror that submitted multiple exceptions to the contract and RFP terms. The most significant exception was to the State's inclusion of other governmental entities purchasing from the resulting contract. This was a requirement to which other offerors did not object and which the State found to be essential. Multiple discussions with OAG and the incumbent were conducted from November through February to resolve the exceptions. The incumbent refused to withdraw that exception and requested to offer an alternate proposal. The State could not agree to alternate proposal submission at this phase in the procurement process. Given that there was no resolution to the exception, the incumbent's offer could not be considered for award.

The other vendor whose offer was not reasonably susceptible of award offered a platform that did not meet the RFP requirements. The representatives during the demonstration were unable to fully demo the product and did not demonstrate compliance with accessibility guidelines as required. The product did not contain a registration system which is essential for students taking courses. Privacy concerns surrounding a third-party system were also considered, as well as course limitations that did not meet the requested minimums. Following oral presentations, DoIT eliminated this vendor from consideration of award.

The total evaluated price was determined based on the RFP requirements. In drafting the RFP, there were items that were absolutely necessary for functionality to the State and features that MSDE deemed necessary for the solution to function efficiently for MSDE. Such MSDE features were not RFP requirements but were a wish-list of features that were highly desirable to have. Required features included: licensing/hosting, technical support, implementation /deployment and training.

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**Remarks:** *(cont'd)*

Given that this was an enterprise State-wide solution, MSDE sought to have some additional features that other agencies may not want to pay for in a contract. These items were added as options in the pricing to arrive at a total contract price.

Award is recommended to itsLearning as presenting the most advantageous offer to the State. Based on the lower price both evaluated and overall, the fact that itsLearning met the requirements and has demonstrated that they can perform the work, this is the best option for the State.

At this time no other agencies are known to have expressed interest in the use of this solution. The contract may be modified at a later date if necessary to accommodate other users. Contract value is based on all options for MSDE's use. All of the items are necessary to provide the courses seamlessly to students and teachers.

**Fund Source:** Various  
**Approp. Code:** Various  
**Resident Business:** No  
**MD Tax Clearance:** 18-1817-0101

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
	<b>WITH DISCUSSION</b>	<b>WITHOUT DISCUSSION</b>	