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**23-M. MARYLAND AVIATION ADMINISTRATION
*RETROACTIVE - Maintenance Contract***

Contract ID: Airport Data and Display System Repair and Maintenance at Maryland Department of Transportation Maryland Aviation Administration (MAA); *MAA-MC-25-016*
EPICS No.: MAAMC25016

Contract Description: Part A: RETROACTIVE - Provide upgrades, services, repair and maintenance of the Airport Data and Display Systems. MAA is requesting the Board of Public Works (BPW) ratify payment of compensation to the awardee, Signature Technologies, Inc. d/b/a Com-Net Software, who provided services after the contract expired.

Part B: Continue to provide services for an additional 43 days, while MAA executes the new contract.

Award: Signature Technologies, Inc. d/b/a Com-Net Software;
Miamisburg, OH

Contract Term: **Part A:** 05/01/2024 – 07/17/2024 (**Retroactive: 77 days**)
Part B: 07/18/2024 – 08/30/2024 (Proactive: 43 days)

Amount: **Part A:** \$ 228,111.93 (**Retroactive**)
Part B: \$ 59,987.93 (**Proactive**)
\$ 288,099.86 Total

Procurement Method: Sole Source

Living Wage Eligible: No

MBE/VSBE Participation: 0% / 0%

Performance Security: None

Incumbent: Same

Requesting Agency Remarks: MAA seeks approval of a retroactive contract to pay the awardee as the original contract expired on May 1, 2024. Additionally, MAA seeks approval of a proactive contract for a term of 43 days as outlined below.

Part A (Retroactive): Retroactive approval of a sole source contract to provide the proper operation and availability of the Airport Data and Display Systems for customers, air carriers, and tenants at BWI.

23-M. MARYLAND AVIATION ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Retroactive approval is being requested pursuant to State Finance & Procurement Article §11-204(c). This contract should be treated as voidable, rather than void, because: 1) all parties have acted in good faith; 2) ratification of the procurement contract would not undermine the purposes of the procurement law; and 3) the violation, or series of violations, was insignificant or otherwise did not prevent substantial compliance with the procurement law.

Part B (Proactive): Request for approval to continue utilizing the sole source contract for 43 days to allow time to execute the new contract, MAA-MC-25-013, which is slated to appear on the July 17, 2024 agenda for approval.

MAA was in the process of completing a modification to contract MAA-MC-19-003, Airport Data and Display System Repair and Maintenance at Maryland Department of Transportation Maryland Aviation Administration when the contract expired. However, the modification was not executed on time, thus the contract expired. Signature Technologies, Inc. d/b/a Com-Net Software continued to provide the crucial services to MAA; therefore, MAA is submitting this request to approve this contract with both retroactive and proactive terms.

MAA has addressed the issue of not having a proper contract in place internally with staff and provided guidance on the importance of timely requests of contracts/modifications, and to only utilize a contract within the period of performance and spending authority.

The Airport Data and Display System provides passengers and other customers with airline flight, gate, baggage, security check point and other information, via the airport terminal and mobile devices. The system also provides safety information within the terminal during severe weather events and other emergencies. It is crucial that MAA be able to continue to utilize this maintenance contract to provide the proper operation and availability of the Airport Data and Display Systems for BWI Thurgood Marshall customers, air carriers, and tenants.

Fund Source: 100% Special (Transportation Trust Funds)

Approp. Code: J0610001 and J0610002

Resident Business: No

MD Tax Clearance: 24-1178-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION