



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
August 7, 2024



SUPPLEMENTAL

REVISED

*Contact: Christina Kuminski 410-767-4787
christina.kuminski@maryland.gov*

52-EX.

EXPEDITED PROCUREMENT REQUEST

Department of Health, Office of Enterprise Technology

Recommendation: The Maryland Department of Health on behalf of its Office of Enterprise Technology is requesting approval to use the Expedited Procurement method as per the Code of Maryland Regulations (COMAR) 21.05.06.03

Contract Description: The Office of Enterprise Technology (OET) on behalf of the Secretary of the Maryland Department of Health (MDH or the Department) manages software renewals for the Department. MDH is currently utilizing Smartsheet software department-wide for both internal and public-facing applications. MDH currently has 481 licensed Smartsheet users, and approximately 2,000 unlicensed users, utilizing the Smartsheet software for internal business workflow, procurement tracking and management, contract management, project management, budget management, grant management and administration, pool vehicle management, public event registration, conducting public feedback surveys, and a wide variety of internal human resources processes.

In December 2023, OET began working on a one-year renewal for the existing MDH Smartsheet subscription which expired on April 16, 2024. Because the previous procurement for the Smartsheet subscription renewal executed on April 12, 2023, was well below the Board of Public Works (BPW) approval threshold, OET anticipated the 2024 renewal to also be below the threshold. However, when a Manufacturer Suggested Retail Price (MSRP) quote was solicited directly from Smartsheet, it was discovered that an increase in overall number of licenses from 319 in 2023 to 481 in 2024, and significant software product costs increase, brought the one-year renewal cost above the \$200,000.00 BPW approval threshold. As a result of this new information, MDH was unable to solicit and award a single or multi-year renewal contract prior to the April 16, 2024, subscription expiration date.

To immediately ameliorate the situation, and ensure continued access to the Smartsheet software, a small procurement bridge contract was executed to extend the existing subscription for 3 months, making the new expiration July 16, 2024. During this extension period OET collaborated with the Smartsheet manufacturer to identify all renewal possibilities and associated costs, and the Office of Procurement and Contract Management (OCMP) to identify the best approach for soliciting the renewal. It was ultimately decided that a renewal would need to be procured through the competitive sealed bid (CSB) process as there were no existing statewide contract vehicles to procure cloud-based software platforms such as Smartsheet.

A second small procurement bridge contract was executed to extend the subscription to October 17, 2024. On July 15, 2024, the Maryland Smartsheet account representative informed MDH that Smartsheet could not accommodate another short-term bridge contract to extend the subscription expiration date past October 17, 2024.



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52-EX. EXPEDITED PROCUREMENT REQUEST (cont'd)

As such, an expedited procurement to renew the MDH Smartsheet software subscription is needed to prevent service disruptions that would be catastrophic to a variety of internal and external processes and mitigate potential harm to Marylanders who utilize the external forms that the MDH Smartsheet subscription facilitates. Failure to renew the MDH Smartsheet subscription would result in a loss of all MDH sheets, forms, workflows, reports, and dashboards in the Smartsheet system. This loss of data and work product would have negative impacts on MDH’s ability to provide timely services to Marylanders interacting with the Department. Because of the risk associated with subscription expiration, MDH requests authorization to use the Expedited Procurement method to solicit a vendor to provide a 2-year subscription renewal for Smartsheet in order to mitigate and avoid a critical impact on the public health, safety, and welfare of Marylanders.

Pursuant to Maryland State Finance & Procurement Article (SFP) § 13-108 (d)(1), MDH’s Procurement Officer, with approval of the Agency Head, has determined that this procurement should be expedited because: (1) urgent circumstances require prompt action; (2) an expedited procurement best serves the public interest; and (3) the need for the expedited procurement outweighs the benefits of making the procurement on the basis of competitive sealed bids or competitive sealed proposals. However, the procurement officer shall attempt to obtain as much competition as reasonably possible per SFP § 13-108(d)(2).

MBE/VSBE Participation: 0% / 0%

BOARD OF PUBLIC WORKS ACTION		THIS ITEM WAS:	
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	