



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 3, 2024



REVISED

SUPPLEMENTAL

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98-IT. INFORMATION TECHNOLOGY
***RETROACTIVE - Department of Budget Management,
 Office of Personnel Services and Benefits, Contract Management Division***

Contract ID: Learning Management System; *F10B4600022*
 ADPICS No.: F10B4600022

Contract Description: *RETROACTIVE* approval for Learning Management System (LMS) to administer statewide training for 46,000 end-users.

Award: Cornerstone OnDemand, Inc.; Santa Monica, CA

Contract Term: 02/23/2024 - 04/03/2024 (**Retroactive**)
 04/04/2024 - 02/22/2025 (Proactive)

Amount: \$ 34,807.26 (**Retroactive**)
 \$282,808.98 (Proactive)
 \$317,616.24 Total

Procurement Method: Intergovernmental Cooperative Purchasing Agreement (ICPA)
 (GSA # GS-35F-0247V)

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Same

Requesting Agency Remarks: Executing this contract on February 23, 2024, allowed the contractor to continue providing learning management system services to all statewide agencies and provide the best cost savings to the State. The contract is in Retro status due to having to wait until November 2023 to ensure that the software was available to purchase under GSA Contract # GS-35F-0247V. Once confirmation was received, the Procurement Officer and Cornerstone had to arrive at mutually agreeable terms and then complete the administration process. The Department of Budget and Management (DBM) apologizes for the delay in presenting this item to the BPW and regrets that it required the agency to submit a voidable contract for retroactive approval.

DBM received approval to use an ICPA through GSA Contract: # GS-35F-0247V. This GSA contract is for IT training and services and was awarded to Cornerstone OnDemand; Cornerstone Learning is a cloud-based Software-as-a-Service (SaaS) learning management system. This



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98-IT. INFORMATION TECHNOLOGY (cont'd)

Agency Remarks (cont'd):

service provides a number of different solutions, such as IT technology training, software licenses, and software maintenance.

The price has been determined to be fair and reasonable based on market research. An estimate from an online third-party vendor showed the average cost, per user, for a cloud-based system for 46,000 users, is approximately \$3.00 to \$18.00 more than the GSA pricing. Also historical prices showed this contract is only approximately 3% higher than the previous contract.

The ICPA process was used because it will provide time and cost savings through significant reduction in the level of effort required for the procurement process and the amount of time to configure and onboard the system without interrupting critical services for Maryland citizens.

MBE and VSBE participation was not established for this contract because there are no subcontracting opportunities available.

DGS OSP Remarks: RETROACTIVE approval requested pursuant to § 11-204(c) State Finance & Procurement Article. DGS OSP has determined that this contract should be treated as voidable rather than void because: (1) all parties have acted in good faith; (2) ratification for 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.

Fund Source: 100% Reimbursable (Using Agencies)

Approp. Code: F10A201

Resident Business: No

MD Tax Clearance: 24-1112-1111

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