

223032-IT  
FIBER OPTIC INSTALLATION  
PROCUREMENT OFFICER'S DETERMINATION  
INTERGOVERNMENTAL COOPERATIVE PURCHASE  
DOIT CABLE & WIRING MATERIALS AND SERVICES  
MASTER CONTRACT NO. 060B6400046

**I. EXECUTIVE SUMMARY**

This Determination has been executed pursuant to COMAR 21.05.09, Intergovernmental Cooperative Purchasing, to enter into a contract with BlueStar Technologies, Inc. (BlueStar) for fiber optic installation, materials and services using the DOIT Cable and Wiring Materials and Services Master Contract No. 060B6400046.

**II. BACKGROUND**

The Maryland Port Administration (MPA) is in need of fiber installation, materials and services to and from the Abel Wolman Municipal Building to the Dundalk Marine Terminal.

There are only two fiber contractors that are authorized to perform work on the City of Baltimore fiber infrastructure, one of which is BlueStar. This was confirmed by the Procurement Officer directly with City of Baltimore. BlueStar is a MD Certified Small Business and one of the Master Contractors on the DOIT Cable and Wiring Master Contract. BlueStar was directly solicited under the DOIT Master Contract, using Functional Areas I and II. BlueStar provided a proposal in the amount of \$129,180.

BlueStar has unique knowledge of and access to the City of Baltimore's fiber optic infrastructure, which will greatly reduce research and design costs for the MPA. BlueStar has established communication channels with the City of Baltimore which will expedite permits, RoE and issue resolution, and thus reduce the costs of these activities for MPA. BlueStar has also performed work for the MPA and has unique knowledge of MPA's infrastructure, which will also reduce research and design costs for MPA. The combination of BlueStar's existing access, knowledge, and established communication channels will also reduce the time required to complete the project.

The need for this independent connection has become urgent in priority due to several recent and unanticipated disruptions by third parties of the existing connection between WTC and DMT. As these disruptions have occurred on properties that are not owned by MPA, MPA has no ability to anticipate nor mitigate the impact of these disruptions. One of the networks that operates on the existing connection is the Port Operations Security and Surveillance (POSS) network, a crucial network for the operation and security of all MPA marine terminals.

The MPA Information Systems Department (ISD) has determined that BlueStar's proposal meets their requirements and the price is fair and reasonable. I concur with the recommendation of ISD. The Office of the Attorney General approved this determination for form and legal sufficiency on May 8, 2023.

**III. DETERMINATION**

- A. DOIT's Cable and Wiring Materials and Services Master Contract No. 060B6400046 meets the requirements of an intergovernmental cooperative purchasing agreement under COMAR 21.05.09.01B(2)(a).



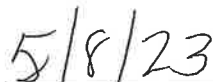
- B. It is in the best interest of the MDOT MPA to utilize the DOIT Master Contract because doing so will provide cost benefits to the State; DOIT has already competitively solicited the Contract and MDOT MPA will be able to utilize the favorable pricing for the State set forth in the DOIT Master Contract. It will promote administrative efficiencies as DOIT has already deemed BlueStar responsible, BlueStar has unique knowledge of and access to the City of Baltimore's fiber optic infrastructure, and it is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03.
- C. The award amount is within the funding available.
- D. Making an award under DOIT's Master Contract will save the MDOT MPA the considerable time it will take to prepare a solicitation for public advertisement knowing there are only two authorized vendors that can perform the work under the City of Baltimore's fiber infrastructure.
- E. Based on the aforementioned information, I determine that this procurement satisfies the requirements of COMAR 21.05.09.04B, and that a contract in the amount of \$129,180 should be awarded to BlueStar for fiber option installation, materials and services.
- F. Since this procurement is under \$200,000, approval of this award is not required by the Board of Public Works or by the Maryland Port Commission.

**IV. APPROVAL REQUIRED**

COMAR 21.05.09.05 provides: "Before awarding or participating in an intergovernmental cooperative purchasing agreement, the procurement officer shall obtain the approval of the primary procurement unit head, and any other approvals as required under this title."

*I request your approval, as unit head, to procure as described in this determination, subject to completion of all other requirements of procurement law, fund certification, execution and approval of the contract (including approval by the Office of the Attorney General for form and legal sufficiency), etc.*

  
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Trisha O'Neal  
Procurement Officer

  
\_\_\_\_\_  
Date

APPROVED:

  
\_\_\_\_\_  
William P. Doyle, Executive Director

  
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Date

