



Department of Public Safety and Correctional Services

Maryland Correctional Enterprises
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STATE OF MARYLAND

WES MOORE
GOVERNOR

BILL: Senate Bill 194

ARUNA MILLER
LT. GOVERNOR

DATE: January 18, 2024

CARDLYN J. SCRUGGS
SECRETARY

RE: Letter of Information

ANTHONY A. GASKINS
CHIEF OF STAFF

Maryland Correctional Enterprises (MCE) is the prison industry arm of the Division of Correction within the Department of Public Safety and Correctional Services (DPSCS). The mission of MCE focuses on providing structured employment and training activities to enhance offender rehabilitation, reduce prison idleness, and reduce recidivism.

JOSEPH SEDTAL
DEPUTY SECRETARY
ADMINISTRATION

ANNIE D. HARVEY
DEPUTY SECRETARY
OPERATIONS

State agencies who request waivers typically do so due to a failure to procure the supply or services in a timely manner and want to purchase products quickly. In response, MCE created the Quick Ship program, which promises to deliver specific products within fifteen business days. Introducing the Department of General Services (DGS) to oversee the waiver process could result in additional time when providing MCE clients with a timely response to their waiver request, which in turn could delay the response time of delivering products and services to the State agencies. These delays would diminish the support of our self-supporting State Agency putting our incarcerated individual training and reentry program at risk.

ANGELINA GUARINO
ASSISTANT SECRETARY
DATA, POLICY AND
GRANTS

RENARD E. BROOKS
ASSISTANT SECRETARY
PROGRAMS, TREATMENT
& RE-
ENTRY SERVICES

MCE has a waiver process available to State Procurement Officers where the request to bypass MCE for goods and services can be submitted for review. In FY23, MCE granted waivers in excess of \$4 Million.

MARYLAND
CORRECTIONAL
ENTERPRISES

STEPHEN SANDERS
CHIEF EXECUTIVE
OFFICER

- In FY 23, MCE received and approved 577 waiver requests and denied less than ten, which equates to a less than 1.7% denial rate, and a greater than 98.3% approval rate of all waiver requests approved.
- Thus far for FY 24, MCE has a 100% approval rate, approving all 288 waivers received to date. As the data provides, the current waiver process is working as designed.

MCE reviews waiver requests in accordance with Correctional Services Article §3-515 which outlines the use of prevailing average market price as determined by the Pricing and Selection Committee for Preferred Providers, and further provides a requirement for MCE to notify the contracting unit if MCE is unable to meet the unit's needs for the goods or services, allowing for appropriate alternative action.

In addition, COMAR outlines not only the determination of Fair Market Price by the Pricing and Selection Committee for Preferred Providers, but also outlines the requirements of a Procurement Agency in obtaining the goods and services,

additionally citing situations in which the mandatory procurement would be negated. These are also listed within the Procurement Manual developed by the Department of Budget and Management.

In addressing the reporting requirement, SB 194 would require MCE to provide a report annually providing the delivery time for each order. There are many variables to consider in evaluating orders and delivery times including customer delays, supply chain issues and even multiple deliveries on a single order. MCE would be happy to include the average delivery time by division as well as for MCE as a whole into our Annual Report.

If you have any questions or need additional information, please do not hesitate to contact Janelle Mummey, Director of Government and Legislative Affairs for DPSCS at janelleb.mummey@maryland.gov.