

BILL: **House Bill 1188** - Information Technology - Modernization of Information Technology Projects

COMMITTEE: House Health and Government Operations
House Appropriations

DATE: March 5, 2024

POSITION: Letter of Concern

Upon review of House Bill 1188 – Information Technology - Modernization of Information Technology Projects, the Department of General Services (DGS) provides these comments.

As introduced, it appears that the legislation will have a **significant operational and fiscal impact on the DGS** by reversing the intent of House Bill 1021, Chapter 590 2017, which consolidated all Maryland procurement into a uniform process. The bill creates an alternate procurement path for major information technology development projects that involve the modernization of information technology and legacy systems.

House Bill 1188 will:

- create and allow complete procurement autonomy under the Information Technology Investment Fund to DoIT rather than submitting procurement awards to the Board of Public Works (BPW);
- remove BPW approval for modernization contracts/proposals which typically are costly contracts; and
- decrease oversight for IT procurements, which typically have the lowest participation in MBE and VSBE programs.

Further concerns with the bill may be apparent upon clarification of a term used, “proposal” as synonymous with “procurement” and the status or loss of the fee vendors pay to utilize eMaryland Marketplace Advantage (eMMA). It could be assumed that the use of eMMA would not apply to vendors of modernization of information technology and legacy systems projects. Additionally, it is unclear if monthly mandated Procurement Agency Activity Reports (PAAR) to the BPW would still be required. If the PAAR is still required, DGS would realize an increase in the volume of the monthly report.

Amendments are being drafted to address various concerns expressed by agencies and stakeholders with this and another similar bill. For additional information, contact Ellen Robertson at 410-260-2908 or Lisa Nissley at 410-260-2922.