



September 15, 2011

Mr. Matt Bauer
Procurement Administrator
City of Mesa
PO Box 1466
20 E. Main Street, Suite 450
Mesa, Arizona 85211-1466
Fax: (480) 644-2655

Edward Quedens Procurement
Business Services Department Director
PO Box 1466
20 E. Main Street, Suite 400
Mesa, Arizona 85211-1466
Fax: (480) 644-2687

RE: Protest of Intent to Award for RFP 2014079 (AP)

Dear Mr. Bauer:

This letter constitutes a formal protest of intent to award by GCA Service Group ("GCA") under the above reference RFP.

GCA has provided top-notch cleaning and janitorial services to the City of Mesa for nearly six years and has invested over \$1.5 million in equipment and supplies over the course of the contract. Currently GCA provides such services to a variety of government-related facilities across the nation. Our customer retention rate is 98%, the highest in the industry.

Section i25 page 8 of the RFP states that points are to be awarded to each bidder based upon the following criteria/formula: (a) Number of custodians assigned to City Contract – 50 Points; (b) Number and Experience of Field Supervisors, Project Managers to be Assigned to City Contract -50 points; (c) Evaluation of Customer References regarding current/Past Performance – 50 Points; (d) Inspection Results from Three (3) Current Customer Accounts – 25 Points; (e) Financial Resources, Stability – 25 Points; (f) Employee Training, Retention Practices, Turnover Ratio – 25 Points; (g) Customer Satisfaction Program – 25 Points; (h) Clarity, Thoroughness of Proposal – 25 Points; (i) Price – 125 points

According to the evaluation sheet ("Evaluation Sheet") received by GCA, a copy of which is enclosed and marked as Exhibit A, the highest scored proposal in the opinion of the committee was that of Olympus Building Services, ("Olympus") which scored 384 points, GCA scored 361 points.

An examination of the Evaluation Sheet in regard to each of the criteria listed above can only lead to one conclusion—that GCA's proposal was incorrectly or improperly scored, and that the contract should not be awarded to Olympus. GCA would like to highlight a few of the categories GCA believes were not accurately scored on the Evaluation Sheet.

As to the first criteria (Number of custodians assigned to City Contract), GCA should have been awarded significantly more points than Olympus and Varsity. GCA received 46 points and Olympus 45 and Varsity 48, even though GCA has been servicing the City of Mesa for over (5) five years with the same amount of staffing and no significant issues. To award points arbitrarily simply based off of the number of custodians is irresponsible.

The second criteria (Number and Experience of Field Supervisors, Project Managers to be assigned to City) must likewise be scored in GCA's favor. GCA has been a dedicated partner with the City of Mesa for nearly 6 years. GCA proposed (and has had in placed) the exact number of experienced management and supervision currently serving the City of Mesa with no issue. The "Experience" of GCA's Management/Supervision team was not taken into consideration, as this team has been working at the City of Mesa buildings for many years, yet Olympus scored a "perfect" 50 and GCA scored 45.

The third criteria (Evaluation of Customer References regarding current/Past Performance): GCA believes that the committee did not follow the RFP process of calling on and visiting our customers' references highlighted on page 7 of GCA's response to this RFP. GCA would like to understand how it can be given a 45 point score while Olympus and others were given 50 points.

The fourth criteria (Inspection Results from Three (3) Current Customer Accounts): the final score of these criteria is even more perplexing than the previous one. Again, the committee did not visit the three customers' references highlighted on page 7 of GCA's response to this RFP and GCA was given a 15 point score, while Olympus and others were given a perfect 25 point score. How can we not be afforded that chance to score the maximum points if our references were not visited?

The last criteria (price), again GCA's price was the low bid, but the committee only awarded GCA four points more than Olympus. Given the current economic conditions facing most cities across the country and the pressure to spend taxpayers' funds as efficiently as possible, this category alone should have dictated that GCA receive the contract, let alone the correct point differential based on the City's formula.

GCA has yet to receive the competitor's pricing/proposal and reserves the right to amend its protest and/or file a new protest following receipt of those documents.

For all the above reasons, GCA firmly believes it rightfully and properly deserves a review of the committee's evaluation of all proposals evaluated during this process.

Thank you in advance for your consideration of this protest.

Respectfully,

Eric Johnson

Eric Johnson

Vice President of Operations

GCA Services Group

480.625.2316

Cc: Paul Aguilar
Javier Diaz

REQUEST FOR PROPOSAL # 2014079 – Custodial Services EVALUATION SHEET

Elements	Points Available	GCA Services Group	Olympus Building Services	Varsity Facility Services
Number of Custodians to be Assigned to City Contract	50	46	45	48
Number and Experience of Field Supervisors, Project Managers to be Assigned to City Contract	50	45	50	45
Evaluation of Customer References regarding current/Past Performance	50	45	50	50
Inspection Results from Three (3) Current Customer Accounts	25	15	24	25
Financial Resources, Stability	25	22	23	25
Employee Training, Retention Practices, Turnover Ratio	25	23	23	25
Customer Satisfaction Program	25	20	25	25
Clarity, Thoroughness of Proposal	25	20	24	25
Price	125	125	121	94
	Total Points 400	361	385	362

COMMENTS: 2nd round of scoring, after the BAFO.

REQUEST FOR PROPOSAL # 2014079 – Custodial Services EVALUATION SHEET

Elements	Points Available	3H-Service System (NR)	Caretakers Building Maintenance (NR)	Crown Building dba Able	GCA Services Group	Olympus Building Services	Open Works	Varsity Facility Services
Number of Custodians to be Assigned to City Contract	50			47	46	45	50	48
Number and Experience of Field Supervisors, Project Managers to be Assigned to City Contract	50			35 ³	45 ⁵	50 ⁶	40 ⁴	45 ⁵
Evaluation of Customer References regarding current/Past Performance	50			40	45	50	35	50
Inspection Results from Three (3) Current Customer Accounts	25			0 ⁴	15 ⁶	24 ⁰	0 ⁸	25 ⁸
Financial Resources, Stability	25			24	22	23	21	25 *
Employee Training, Retention Practices, Turnover Ratio	25			21	23	23	19	25
Customer Satisfaction Program	25			20	20	25	23	25
Clarity, Thoroughness of Proposal	25			22 ³	20	24 ²	20	25 ⁴
Price	125			39	125	120	61	92
	Total Points 400			<u>248</u>	<u>361</u>	<u>384</u>	<u>269</u>	<u>360</u>

COMMENTS:

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Sent Via Email: Javier.Diaz@gcaservices.com and Eric.Johnson@gcaservices.com

June 11, 2014

Mr. Eric Johnson
GCA Services Group.
2620 West Broadway Road, Suite 9
Mesa, AZ 85202

RE: Protest of Intent to Award for RFP 2014079

Dear Mr. Johnson,

This letter will serve as the City of Mesa's ("City") response to your letter dated May 23, 2014 in which you protest the Intent of Award for Request for Proposals #2014079 ("Solicitation"). After review, the protest is denied for the following reasons:

The first item addressed in your letter is "Number of Custodians Assigned to City Contract." You argue that based on GCA's previous work with the City that GCA's proposal should be awarded, "significantly more points than Olympus and Varsity." In scoring this criterion, the City's Evaluation Committee considered the information provided in the Solicitation responses from each of the firms. The evaluation team came to a consensus on the score based on the information provided.

In addition, you claim "to award points arbitrarily simply based off of the number of custodians is irresponsible." When the last two contracts for custodial services were awarded to your firm under solicitations 2009119 and 2008126, this same criterion was utilized for the evaluation of the proposal and your firm did not take exception. If you believed that this criterion was not appropriate under this Solicitation, you could have protested per the City Procurement Rules Section 6.2(A). However, protests based on an alleged mistake, impropriety, or defect in a solicitation must be submitted four days prior to bid opening. A protest at this time on any criteria set forth in the Solicitation is untimely.

The second evaluation criterion your letter addresses is "Number and Experience of Field Supervisors, Project Managers to be assigned to City." You argue that "the 'Experience' of GCA's Management/Supervision team was not taken into consideration." In scoring this criterion, the City's Evaluation Committee properly took into consideration the information provided in the Solicitation responses by each of the firms. The City's Evaluation Committee came to a consensus score for each firm regarding this criterion.

With respect to the third criterion, "Evaluation of Customer References regarding current/Past Performance," you claim that the City did not contact your references. The City called upon the references listed in your proposal. The City also used its own internal staff as a reference, as permitted under the Solicitation Section i.25 Criteria for Evaluation and Award. The City's Evaluation Committee came to a consensus score for each firm regarding this criterion.

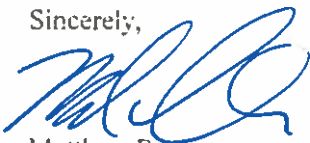
Regarding the fourth criterion, "Inspection Results from Three (3) Current Customer Accounts," you argue that GCA was not afforded the chance to score the maximum points. Because firms responded to the Solicitation with customer accounts spread out across Arizona and out of state, reviewing three locations for each firm was impracticable. Each firm was evaluated based on a single current customer account that the City could access locally that is similar in size, scope and complexity to the City. The Evaluation Committee scores were based on the chosen local site for each firm to accurately differentiate each firm's performance in this criterion. All firms, including GCA, were afforded the same opportunity to receive the maximum number of points available under this criterion and the Evaluation Committee came to a consensus score for each firm.

Lastly, you claim that GCA's low bid "should have dictated that GCA receive the contract, let alone the correct point differential based on the City's formula." This procurement was completed as a Request for Proposal which considers factors in addition to price. The Solicitation set forth the evaluation criteria for the award of the contract, including the number of points assigned and the equation to be followed to determine pricing points. If your firm concluded that the formula or number of points assigned to the criterion was not appropriate, you could have protested based on an alleged mistake, impropriety, or defect in a solicitation. However, as noted above, under the City's Procurement Rules, any such protest must be submitted four days before bid opening. A protest at this time on the criteria set forth in the Solicitation is untimely.

For the reasons stated above, your protest of award of RFP 2014079 for Custodial Services is denied.

Within seven days of receipt of this letter, you may appeal this decision to the Chief Procurement Officer per Section 6.4 of the Procurement Rules.

Sincerely,



Matthew Bauer
Procurement Administrator



June 17, 2014

Edward Quedens Procurement
Business Services Department Director
PO Box 1466
20 E. Main Street, Suite 400
Mesa, Arizona 85211-1466
Fax: (480) 644-2687

RE: Appeal of denial of Protest

Dear Mr. Quedens:

This letter constitutes a formal "appeal" of the Procurement Officer's (Matt Bauer) decision to deny our protest of intent to award under RFP 2014079. GCA requests a review of Mr. Matt Bauer's decision to deny our appeal without addressing how the "committee" came up with the points awarded to each company for each criterion.

GCA would like to request a meeting with you in order to share with you our concerns and hopefully understand how the "evaluation team came to a consensus" on their decision.

Respectfully,

Eric Johnson

Eric Johnson

Vice President of Operations

GCA Services Group

480.625.2316

Cc: Paul Aguilar
Javier Diaz



BUSINESS SERVICES

mesaaz.gov

OFFICE OF THE CHIEF PROCUREMENT OFFICER
PO Box 1966
Mesa, Arizona 85201

June 19, 2014

Mr. Eric Johnson
GCA Services Group
5616 South Ash Ave, Suite 104
Tempe, Arizona 85282

RE: Appeal Letter Dated June 17, 2014

Mr. Johnson:

This letter is in response to your letter dated June 17, 2014 received by the City of Mesa ("City") via email on June 18, 2014 with the subject "Appeal of denial of Protest" ("Appeal Letter"); a copy of your Appeal Letter is attached for your reference. Your Appeal Letter serves as a formal request for an appeal from a decision entered by the Procurement Officer in accordance with the City of Mesa Procurement Rules ("Procurement Rules") Section 6.4, which states in pertinent part, the following:

6.4 Appeals of the Procurement Officer's Decision

- A. An appeal from a decision entered by the Procurement Officer issued pursuant to Section 6.3 must be Filed with the Chief Procurement Officer within seven (7) calendar days after the date the decision is received by the Protestor.
- B. Content of appeal. The appeal must contain:
 - 1. A copy of the original protest.
 - 2. A copy of the decision of the Procurement Officer.
 - 3. The precise factual or legal error in the protest decision from which an appeal is taken.
- C. The Chief Procurement Officer will deny an appeal if: (i) The appeal fails to meet the requirements of Subsection (B) above; or (ii) the appeal is untimely pursuant to Subsection (A) above or the protest was untimely under Section 6.2. If an appeal attempts to raise issues not raised in the protest, any newly raised issues will be dismissed.

In accordance with Section 6.4(C), I am denying your appeal for the following reasons:

- 1. You failed to provide a copy of the original protest you are appealing as required under Section 6.4(B)(1).

2. You failed to provide a copy of the Procurement Officer's decision you are appealing as required under Section 6.4(B)(2).
3. Your Appeal Letter failed to specify the factual or legal error in the protest decision from which an appeal is taken as required under Section 6.4(B)(3). The Appeal Letter states, "GCA requests a review of Mr. Matt Bauer's decision to deny our appeal without addressing how the 'committee' came up with the points awarded to each company for each criterion." This statement does not provide information pointing to a factual or legal error in the Procurement Officer's decision.

As the Appeal Letter failed to meet the criteria for the content of a protest in accordance with the Procurement Rules, your protest is denied.

In the Appeal Letter, you state you would like to understand "how the "evaluation team came to a consensus" on their decision". Pursuant to Procurement Rules Section 4.5(O), responses to a request for proposals are open to public inspection after: "the City cancels the Solicitation or rejects all responses without the intent to resolicit, executes a Contract or otherwise takes actions which ends the Solicitation process, whichever is later." After a contract has been executed or the City cancels, rejects, or otherwise ends the solicitation process, the RFP responses will be available for review and you may request a meeting with the Procurement Office through Paul Aguilar.

Sincerely,



Edward Quedens
Chief Procurement Officer
Business Services Department Director