



Attention: Matt Bauer, Procurement Administrator

City of Mesa, AZ
20 East Main Street, Suite 400
PO Box 1466
Mesa, Arizona 85211-1466

Re: Notice of Intent to Award City of Mesa IFB #2015135 - Radios for Three (3) Aviation Units to Phoenix Heliparts

Dear Mr. Bauer:

Please accept this letter, as Precision Aviation Service's official protest in regards to the referenced Intent to Award. We submitted our response in the amount of **\$201,938.45** (Two Hundred One Thousand Nine Hundred Thirty-Eight Dollars and Forty-Five Cents) regarding the referenced Invitation for Bid (IFB) to provide Radio Replacement & Installation for two (2) MD 500E Helicopters and one (1) Cessna P210 Airplane on January 13, 2015.

The Bid Tabulation/Pre-Award Notice posted on your site <http://mesaaz.gov/purchasing> list the bidding results as:

Vendor	Total Net Bid	Intent to Award
Phoenix Heliparts Mesa, AZ	\$208,052.48 *\$204,411.56	\$224,800.70
Gardner Aviation Specialist dba Precision Aviation Services Peachtree City, GA	\$201,938.45	

* For evaluation purposes, Mesa TPT deduction applies; see Pricing and Compensation Section of Solicitation.

Although we appear to be the lowest bidder by a considerable amount, an Intent to Award to Phoenix Heliparts in the amount of \$224,800.70 (Two Hundred Twenty Four Thousand Eight Hundred Dollars and Seventy Cents) was recently posted on your site. As a result of the posted Intent to Award, on Monday, February 16, 2015, we sent an inquiry to Cyndi Gonzales @ Cyndi.Gonzales@MesaAZ.gov. Cyndi responded to the email this morning by stating: **"Per your request and our telephone conversation this morning, regarding transportation of our airplane, the Police Department believes that it would be most advantageous for the City to utilize its pilots to transport the Cessna, and the estimated cost is \$9,560 round-trip. This would add flight time to the airplane and result in the loss of both the aircraft and crew availability."**

The basis of our protest is as follows:

1. This was an Invitation to Bid (ITB) not a Request for Proposal (RFP) and we clearly appear to be the lowest bidder. It is our understanding that unless other criterion is listed, the purpose of an ITB verses a RFP is to award the proposed contract to the lowest responsible



bidder. According to the Criteria for Evaluation and Award posted in the IFB documents there were three categories for award: **responsiveness**, **responsibility**, and **price**. We know that our bid was considered both responsive and responsible because in accordance with your evaluation process, you only evaluate price once a bidder is considered to be both responsive and responsible.

2. We understand that Phoenix Heliparts is a Mesa Business; however the ITB documents did not state any local preference with the exception of the Mesa City TPT deduction which gives the local vendor a 1.75% reduction. We took that into account in our pricing, and even after the deduction was made to Phoenix Heliparts, a Mesa Business, our total bid amount was still significantly lower.
3. Finally, it would appear that subsequent negotiations occurred with Phoenix Heliparts after the bids were submitted, as the Intent to Award value is \$20,000 higher than their Total Net Bid. We would have expected that this would have been cause for further discussion with PAS as well, to ensure that the City of Mesa was in fact getting the lowest cost. Specifically, with regards to Cyndi Gonzales's comments regarding transportation cost, in our original response to this bid late last year, which was subsequently cancelled and re-issued, we had offered to reimburse the City for a portion of the transportation costs, and would offer that concession again, given the opportunity. In any regard, even if there was an additional cost for transportation and aircraft flight time added to our quote/bid, we would still be lower than the anticipated award amount of \$224,800.70 (Two Hundred Twenty Four Thousand Eight Hundred Dollars and Seventy Cents).

We request that you re-consider your Intent to Award this bid to Phoenix Heliparts, and at least give PAS the same post-bid opening opportunities afforded to them, to ensure that the City of Mesa is truly getting the best value for their budget dollars. We would also entertain splitting the helicopter portion from the fixed wing portion, if that offers a better total solution / cost to the City of Mesa. We firmly believe that PAS is the most responsive, responsible and lowest bidder, and I'm confident that if we are given an opportunity, we will exceed your expectations and build a long-term mutually beneficial relationship.

We look forward to your response. If additional information is required, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "David A. Ford", is written over a light blue horizontal line.

David A. Ford
President
Precision Aviation Services
(770) 486-6061 (Off)
(610) 657-2704 (Cell)

From: [David Ford](#)
To: [Matt Bauer](#)
Cc: [Cyndi Gonzales](#); Sharoun.Brause@mesaaz.gov; [Shalanda Whatley](#)
Subject: Official Protest of Notice of Intent to Award City of Mesa IFB #2015135 - Radios for Three (3) Aviation Units to Phoenix Heliparts
Date: Thursday, February 19, 2015 7:32:30 AM
Attachments: [PAS Protest Letter Re City of Mesa IFB 2015135.pdf](#)

Please find Attached an official Protest Letter from Precision Aviation Services with regard to ***"Notice of Intent to Award City of Mesa IFB #2015135 - Radios for Three (3) Aviation Units to Phoenix Heliparts"***. Thank you for your attention to this matter.

David A Ford
President
Precision Aviation Services
500 Aviation Way, Hgr B5
Peachtree City, GA 30269
dford@pas-pag.com
(770) 486-6061 (Off)
(610) 657-2704 (Cell)



20 E Main St Suite 400
PO Box 1466
Mesa, Arizona 85211-1466

mesaaz.gov

CERTIFIED MAIL # 91 7108 2133 3939 4780 2947

February 19th, 2015

Mr. David A. Ford
Precision Aviation Services ("PAS")
500 Aviation Way, Hanger B-5
Peachtree City, GA 30269
Fax: 770-486-0748
dford@pas-pag.com

RE: Protest of Intent to Award for IFB 2015135

Dear Mr. David A. Ford,

This letter will serve as the City of Mesa's response to your letter received by email on February 19th, 2015 in which you protest the Intent of Award for Invitation for Bid #2015135. This letter is being submitted to you in accordance with the City of Mesa Procurement Rules ("Procurement Rules") Section 6.3. Your protest is denied for the following reasons:

1. The protest you submitted was untimely. Per Article 6.2 (C) of the Procurement Rules, the *Time for Filing Protests* "that only become apparent after the City issues a Notice of Intent to Award must be Filed within seven (7) calendar days after the protestor knows or should have known the basis of the protest." Since the Notice of Intent to Award was filed on Wednesday, February 11th, the timeframe allowing parties to file a protest has closed.
2. The award was made to the lowest priced, responsive, responsible respondent and there were no negotiations conducted regarding this solicitation. The protest that was submitted failed to consider the following:
 - a. PAS's price of \$201,938.45 did not include the cost to ferry the airplane. The cost of ferrying the plane using City employees was determined to be approximately \$9,560.00 bringing the total evaluated cost to \$211,498.45. Phoenix Heliarts bid, including transportation, was \$208,052.48 (\$204,411.56 for evaluation purposes removing the 1.75% Mesa TPT). This makes Phoenix Heliarts the lowest priced, responsive, responsible respondent.
 - b. The awarded amount for Phoenix Heliarts identified in the Notice of Intent to Award was higher than presented in the bid tabulation (evaluated price) due to taxes. The taxes for this purchase equate to \$16,748.22 (8.05% Mesa Tax) which brings the total cost to \$224,800.70. Outside of Mesa's consideration for vendors with a Mesa TPT, per section 4.2 (H) of the procurement rules, "tax is not a factor in evaluating the responses."

- c. Splitting the award as suggested in your letter amongst the helicopters and airplane still resulted in Phoenix Heliparts being the lowest priced, responsive, responsible respondent for both items. Please see the attached document.

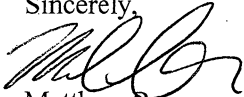
You may appeal this decision within seven (7) calendar days to the Chief Procurement Officer per Section 6.4 of the Procurement Rules.

The City of Mesa Procurement Rules are available at <http://www.mesaaz.gov/purchasing> under Policy Documents.

Please address all correspondence to:

Chief Procurement Officer
City of Mesa
20 E. Main Street, Suite 450
Mesa, AZ 85122-1466

Sincerely,



Matthew Bauer
Procurement Administrator

Attachment(s)

CC: Ed Quedens, Chief Procurement Officer

PAS

Item No.	Description	Unit Price	Qty	Total Price
1	Technisonic 9000	\$ 49,391.10	3	\$ 148,173.30
2	Installation of Radio in Helicopter(s)	\$ 10,025.05	2	\$ 20,050.10
3	Installation of Radio in Airplane	\$ 9,075.05	1	\$ 9,075.05
4	Transportation of Helicopters	\$ 12,320.00	2	\$ 24,640.00
5	Transportation of Airplane	\$ 9,560.00	1	\$ 9,560.00
Total Bid				\$ 211,498.45
Total Evaluated Price				\$ 211,498.45

Phoenix Heliparts

Item No.	Description	Unit Price	Qty	Total Price
1	Technisonic 9000	\$ 47,281.26	3	\$ 141,843.78
2	Installation of Radio in Helicopter(s)	\$ 22,965.05	2	\$ 45,930.10
3	Installation of Radio in Airplane	\$ 20,278.60	1	\$ 20,278.60
4	Transportation of Helicopters	\$0.00	2	\$0.00
5	Transportation of Airplane	\$0.00	1	\$0.00
Total Bid				\$ 208,052.48
Total Evaluated Price				\$ 204,411.56

PAS (Helicopters Only)

Item No.	Description	Unit Price	Qty	Total Price
1	Technisonic 9000	\$ 49,391.10	2	\$ 98,782.20
2	Installation of Radio in Helicopter(s)	\$ 10,025.05	2	\$ 20,050.10
4	Transportation of Helicopters	\$ 12,320.00	2	\$ 24,640.00
Total Bid				\$ 143,472.30
Total Evaluated Price				\$ 143,472.30

Phoenix Heliparts (Helicopters Only)

Item No.	Description	Unit Price	Qty	Total Price
1	Technisonic 9000	\$ 47,281.26	2	\$ 94,562.52
2	Installation of Radio in Helicopter(s)	\$ 22,965.05	2	\$ 45,930.10
4	Transportation of Helicopters	\$0.00	2	\$0.00
Total Bid				\$ 140,492.62
Total Evaluated Price				\$ 138,034.00

PAS (Airplane Only)

Item No.	Description	Unit Price	Qty	Total Price
1	Technisonic 9000	\$ 49,391.10	1	\$ 49,391.10
3	Installation of Radio in Airplane	\$ 9,075.05	1	\$ 9,075.05
5	Transportation of Airplane	\$ 9,560.00	1	\$ 9,560.00
Total Bid				\$ 68,026.15
Total Evaluated Price				\$ 68,026.15

Phoenix Heliparts (Airplane Only)

Item No.	Description	Unit Price	Qty	Total Price
1	Technisonic 9000	\$ 47,281.26	1	\$ 47,281.26
3	Installation of Radio in Airplane	\$ 20,278.60	1	\$ 20,278.60
5	Transportation of Airplane	\$0.00	1	\$0.00
Total Bid				\$ 67,559.86
Total Evaluated Price				\$ 66,377.56

From: [David Ford](#)
To: [Matt Bauer](#)
Cc: [Cyndi Gonzales](#); Sharoun.Brause@mesaaz.gov; [Shalanda Whatley](#); [Ed Quedens](#)
Subject: RE: Official Protest of Notice of Intent to Award City of Mesa IFB #2015135 - Radios for Three (3) Aviation Units to Phoenix Heliparts
Date: Thursday, February 19, 2015 2:49:57 PM
Attachments: [image001.png](#)

Matt – Thank you very much for your rapid and detailed response to our questions. We understand the basis of the bid fully now, and accept the outcome. We knew going into this bid that the transportation cost were going to be our biggest hurdle, and we tried to offset those with very aggressive pricing for the actual installation. Hopefully we will have other opportunities to bid for support of your operation that are less dependent on physical proximity. Again, thank you for taking the time to respond to our concerns.

Respectfully,

David A Ford
President
Precision Aviation Services
dford@pas-pag.com
(770) 486-6061 (Off)
(610) 657-2704 (Cell)

From: Matt Bauer [mailto:Matt.Bauer@mesaaz.gov]
Sent: Thursday, February 19, 2015 4:07 PM
To: David Ford
Cc: Cyndi Gonzales; Sharoun.Brause@mesaaz.gov; [Shalanda Whatley](#); [Ed Quedens](#)
Subject: RE: Official Protest of Notice of Intent to Award City of Mesa IFB #2015135 - Radios for Three (3) Aviation Units to Phoenix Heliparts
Importance: High

David,

Please see the attached document. This is also being forwarded to you by fax and certified letter.

Sincerely,

Matt Bauer MBA, CPPO, CPPB, CPSM
Procurement Administrator
(480) 644-2543



As of July 1st, 2014, all vendors who are not registered in Vendor Self Service (VSS) will no longer

receive solicitation notifications. To register, please go to: <http://mesaaz.gov/vendor/>

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please consider the environment before printing this e-mail

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