



mesaaz.gov

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CERTIFIED MAIL # 91 7199 9991 7037 7323 3179

December 6, 2017

Timothy Yanavage  
Synagro Technologies, Inc.  
14479 Cougar Rd  
Helendale, CA 92342  
tyanavage@SYNAGRO.com  
Phone 1-951-234-4851  
Fax 1-443-489-9041

*Sent Via Certified Mail With A Copy Via Email*

RE: City of Mesa Response to Protest of Award and Request for Extension of Time Request  
for Proposals #2018042 ("RFP")  
Bio-Solids Removal and Reuse / Disposal Services

Dear Mr. Yanavage,

This letter will serve as the City of Mesa's ("City") response to your letter received by email on December 5, 2017 in which your firm requests additional information related to RFP and that "the official award be withheld" until your firm can file an "informed modified protest." After reading your letter, the City replies as set forth below.

**Synagro's Request:**

*"Synagro is asking for clarification for who was at the public opening, where it was located, and what was specifically read."*

**City's Response:**

The only parties in attendance at the public opening were the Procurement Officer and Procurement Specialist assigned to the RFP. The City did not have any interested parties attend the public opening which was held on October 11<sup>th</sup>, 2017 at 3:00 PM (AZ Time) at the City of Mesa Purchasing Office, as identified in the solicitation document. Since this solicitation was conducted as a Request for Proposal, the only information that is read aloud is the names of the firms who submitted a response. The City has attached the bid "Bid Opening Log and Attendance" document for your reference.

**Synagro's Request:**

*"Synagro has requested the score card and pricing submitted by all the vendors from the City, but to date no response."*

**City's Response:**

I researched this request and was unable to find any instance of your firm asking for such information from either the Procurement Officer or Procurement Specialist assigned to this solicitation. Since your letter did not identify how you requested this information or who from, I also reached out to the Water Resources Department, the Public Information Office, and the Business Service office; not one of these departments was able to find any such request from your firm.

Based on the request in your letter, attached is a copy of the "2018042 Scoring Summary" which contains the requested evaluated scores, as well as the overall evaluated price.

**Synagro's Request:**

*"Synagro request that the official award be withheld until these questions are answered to allow for an informed modified protest."*

**City's Response:**

This request of Synagro is denied. Synagro failed to "state a valid basis for the protest," which is grounds for immediate denial of a protest in accordance with City of Mesa Procurement Rule ("Procurement Rule") Section 6.3(A)(1). No facts, claims or any information was provided by Synagro to state grounds for a protest. Synagro claimed to have requested information from the City relevant to "score card and pricing", but no evidence of such a request was found. As an aside, Article 6 of the Procurement Rules, which governs protests, has no provision allowing a firm to request an extension to the protest period.

This letter is being submitted to you in accordance with the Procurement Rule Section 6.3. Based on the information provided in this letter and per the Procurement Rules Section 6.1 and 6.3 (D), your firm failed to "state a valid basis for the protest" and failed to provide a "detailed statement of the legal and factual grounds of the protest including copies of relevant documents." Based on the information stated above, your protest and request to extend the time to file a protest is denied.

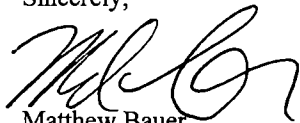
Pursuant to the Procurement Rules Section 6.4, you may appeal this decision within seven (7) calendar days to the Chief Procurement Officer.

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

Please address all correspondence to:

Chief Procurement Officer  
City of Mesa  
20 E. Main Street, Suite 450  
Mesa, AZ 85201

Sincerely,



Matthew Bauer  
Procurement Administrator



## BID RECORDING LOG

SOLICITATION #2018042  
Biosolids Removal and Reuse/Disposal Services  
Due Date 10/11/2017 3 00 PM

### COMPANY NAME

### DATE AND TIME RECEIVED

Synagro - WWT, Inc

10/10/17 @ 10 11 am

Penale Water Solutions

10/11/17 @ 9 57 am

Waste Management

10/11/17 @ 2:34 pm

THIS IS TO CERTIFY THAT THESE ARE THE BID PRICES RECORDED AT THE BID OPENING

Heidi Garcia

Procurement Officer

Nicole Arnold

Procurement Specialist / Recorder

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## BID OPENING ATTENDANCE LOG

SOLICITATION #2018042

Biosolids Removal and Reuse/Disposal Services

Due Date 10/11/2017 3 00 PM

CoM - Conducted the bid opening Nicole Arnold  
CoM - Witnessed the bid opening Kristy Garcia

### ATTENDEES

Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____
Name _____	Company _____

	<b>Price 300 possible</b>	<b>Vendor</b>
\$ 478,179.00	300	Denali
\$ 480,194.00	299	Synagro
\$ 1,385,175.00	104	Waste Management

<b>Criteria</b>
Exp & Qualifications
Method of Approach
Pricing

**Points Possible**

	<b>Denali</b>	<b>Synagro</b>	<b>WM</b>
Exp & Qualifications	288	282	246
Method of Approach	380	369	285
Pricing	300	299	104
	<b>968</b>	<b>950</b>	<b>635</b>
Ranking	1	2	3