

From: [Darryl Woodson](#)
To: [Mike Lewis](#); [Patrick Mann](#); [Pete Scarafiotti](#)
Cc: [Matt Bauer](#); [Nicole Arnold](#)
Subject: FW: BID # 2019121 RFB FOR HUDRAULIC HOSE AND FITTINGS
Date: Tuesday, February 19, 2019 7:47:50 AM

FYI,

HosePower is protesting the hydraulic hose bid for a second time.

From: Jerry Sawyer <jsawyer@hosepower.com>
Sent: Monday, February 18, 2019 4:44 PM
To: Matt Bauer <Matt.Bauer@mesaaz.gov>; Darryl Woodson <Darryl.Woodson@mesaaz.gov>
Cc: John Sherbuck <jsherbuck12@hosepower.com>
Subject: BID # 2019121 RFB FOR HUDRAULIC HOSE AND FITTINGS

Gentlemen, we are protesting this bid...please consider this our notice of same.

We have put a lot of time into this process and project to now have it be a Parker only (no substitute) bid for the second time is disconcerting to say the least. For a bid to be fair it cannot be brand specific but rather needs to be specification specific.

For instance list SAE 100R12 (specification) hose and 4 different crimp fitting configurations for that hose and you will get a hose that has a working temperature of 250 deg. and is 4000 psi for all sizes of hose and has specific characteristics like bend radius and 4 spiral wires. List SAE 100R16 as a specification and say 12 crimp fittings you will get 2 wire braids and 212 degree working temperature and specific characteristics. You will have at least five hose sizes and 16 ends, add some abrasion sleeve and you will have 22-25 items on your bid and it will have a fair public bid.

SAE 100R12 is the first hose off the pump of most mobile hydraulic equipment like sanitation trucks while the rest (most) of the pressure hoses will have 2 braided wires; SAE 100R2, 100R16 and some sizes of 100R17 for instance.

You are requiring the winning bid to provide 2 crimpers Parker only no substitute, my Flextral brand crimpers will work just like Parker and I am willing to provide the investment of 2 crimpers. You are requiring the winning bid provide training, we train and do it very well.

We have hoses on refuse trucks, we are the current supplier to Scorpion brand Dadee MFG trucks, and have been doing business with many AZ municipalities, Glendale (25 + yrs.) , Scottsdale (8 yrs.) and Tempe for 3 yrs. And replace 80% of the hoses in the Arizona mine market. Many more references as needed are available. We have 5 locations in Arizona including over 20 years in Mesa.

The hose you are specifying in the bid 351TC will no longer be made by Parker, a quick look on the Parker website will show you that the hose is discontinued June 28,2019.

Lastly; as a public entity I am sure Mesa wants a competitive, fair bid, this is not. 4/5 of the competition has been eliminated for Parker by the "no substitute" clause put in this bid. Might as well go out for a tire bid but only allow Firestone dealers to participate.

*Thank you,
Jerry L. Sawyer
Branch Manager*

 BRIDGESTONE

HOSE POWER

Bridgestone Hosepower LLC
3327 N. 29th Avenue Phoenix, AZ 85017

Office: 602-253-3123 and 24/7 Service

Fax: 602-258-2034

Mobile: 602-708-0402

E-Mail: JSawyer@Hosepower.com



mesaaz.gov

201 E Main Ave Suite 100
Phoenix, AZ 85004
Tel: 602.261.2301

CERTIFIED MAIL # 91 7199 9991 7038 3067 6550

April 15, 2019

Jerry Sawyer
Bridgestone Hosepower, LLC
3327 N. 29th Avenue
Phoenix, AZ 85017

*Sent Via Certified Mail with a copy emailed to
Jsawyer@hosepower.com*

RE: City of Mesa Response to Protest
Request for Bid #2019121 ("Solicitation")
Hydraulic Hose & Fittings

Dear Mr. Sawyer,

This letter is being submitted to you in accordance with the City of Mesa Procurement Rules ("Procurement Rules") Section 6.3 and will serve as the City of Mesa's ("City") response to your letter received by email on February 18, 2019 in which Bridgestone Hosepower ("Hosepower") protests the Solicitation ("Protest").

After reviewing the claims in the Protest with staff from the City's Fleet Services Department ("Fleet") and the City's Chief Procurement Officer, the Protest is denied for the reasons outlined below.

The Protest objects to the Solicitation's request for Parker brand hydraulic hoses and crimp fittings with no substitutes allowed. Section 5.4(E) of the Procurement Rules permits Brand Name Only Specifications to be used in a City procurement. A Brand Name Only Specification is defined in Section 2.1 of the Procurement Rules as "[a] Specification limited to one or more items by manufacturers' names or catalog numbers."

To provide some background on the issue of utilizing a Brand Name Only Specification in the Solicitation, in July 2018, the City issued Request for Bid #2019017 for hydraulic hose and fittings with specifications calling for Parker brand only products; that Request for Bid was ultimately cancelled by the City in order for the City to evaluate alternative providers of hydraulic hose and fittings to determine if they would meet the City's needs. After several meetings to evaluate the Parker brand name only requirement and review of available products in the market, Fleet confirmed the City's Parker Brand Name Only Specification requirement. The City's Chief Procurement Officer reviewed Fleet's determination and approved the use of a

Brand Name Only Specification for the Solicitation. The Brand Name Only Specification was supported for several reasons, including the following:

1. The majority of the City's hose work is related to repairs on the City's solid waste vehicles. Parker hose is mandated by Amrep, Inc. ("Amrep"), the City's current, contracted solid waste truck provider and the value of such trucks is approximately \$380,000. The City discussed this situation with Amrep and the company reiterated Amrep's requirement of the use of Parker brand only products: "AMREPS Warranty Policy: Amrep Inc., requires the use of Genuine Parker Replacement parts for all OEM components this is to include all Parker Hose and fittings. The use of Non OEM Parts will Void the warranty." The voiding of the warranty on City solid waste Amrep vehicles is more than enough justification in and of itself for the use of a Brand Name Only Specification.
2. Although Amrep trucks are not the only vehicles in the City's fleet, stocking different types of fittings and hoses side by side, that each require different crimpers and additional training of City staff, introduces an elevated risk of installation error from cross fitting hydraulic fittings and hoses; such an error would result in the failure of a hydraulic system on a truck. Most hoses fail while the trucks are in neighborhoods picking up trash resulting in the release of 30 to 40 gallons of hydraulic fluid on a residential street. If remedial action does not take place quickly this oil can enter the storm drain system and the cleaning of the street costs Fleet approximately \$1,800 per occurrence. A release of hydraulic fluid onto private property adds additional potential liability and costs for the City, not to mention damage that can occur to the vehicle.
3. As Parker is sold by a variety of vendors, the Brand Name Only Specification still allows for open and competitive bidding of the Solicitation.

Your letter identifies that a product specified in the Solicitation, the 351TC, will no longer be made by Parker. The City is aware of this product discontinuation. For clarification purposes, although that particular product will no longer be offered, Parker offers another product to replace the discontinued item. The City intends to update the Solicitation document through an addendum to reflect the change in Parker product number, as well as to further clarify for vendors the Brand Name Only Specification requirement by removing any language related to submitting alternative brand hoses.

Based on the aforementioned information and the fact that the Brand Name Only Specification in the Solicitation is in accordance with the City's Procurement Rules, the 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,

A handwritten signature in black ink, appearing to read 'M. Bauer', with a stylized, cursive script.

Matthew Bauer
Procurement Administrator