



Nathan Deal
Governor

Sid Johnson
Commissioner

November 8, 2016

VIA US Mail and E-MAIL

Frank Xavier
Optimum Technology
100 e. Campus View Blvd Suite 38D
Columbus, OH 43235
frank.xavier@otech.com

RE: Protest Regarding 47100-GBI0000096 "National Incident Based Reporting System (NIBRS)"

Dear Mr. Xavier:

This letter is in response to Optimum Technology's ("Optimum") protest of the above referenced bid. For the reasons in this letter, the protest is sustained.

On August 17, 2016, the Georgia Bureau of Investigation ("GBI") issued solicitation number 47100-GBI0000096 entitled "National Incident Based Reporting System (NIBRS)". The solicitation closed on September 16, 2016. After the posting of the Notice of Intent to Award, Optimum was notified by the Issuing Officer that its bid was deemed nonresponsive due to the failure to include two required attachments. Optimum Technology subsequently submitted a protest asserting that Optimum had indeed submitted all required attachments with its bid.

DOAS technical staff has reviewed Optimum's submission in the state's electronic bidding system, Team Georgia Marketplace, and determined that the two "missing" attachments had actually been attached by Optimum at the line level and were submitted with Optimum's bid.

Accordingly, GBI had rescinded the Notice of Intent to Award and will evaluate Optimum's response.

Sincerely,

Lisa Eason
Deputy Commissioner

cc: Pamela Ervin, pam.ervin@gbi.ga.gov

Ervin, Pam

From: Frank Xavier <frank.xavier@otech.com>
Sent: Wednesday, November 02, 2016 4:14 PM
To: Protests, DOAS
Cc: Ervin, Pam; Melissa Winesburg; Josh Davda
Subject: Notice of Protest - eRFP 47100-GBI0000096, National Incident Based Reporting System
Attachments: Exhibit A.pdf; Exhibit B.pdf; Exhibit C.pdf; Optimum Letter.pdf

Dear Sir/Madam,

We received the Bid Rejection Notice from Ms. Pam Ervin on Tuesday, November 1st 2016, for our bid submitted to the Team Georgia Marketplace in response to the eRFP 47100-GBI0000096, National Incident Based Reporting System. We would like to respectfully submit our notice of protest to the Award.

Attached along this email is our formal notice of protest along with the artifacts in support of our protest.

The attachments are as follows:

1. Optimum Letter – Formal Notice of Protest
2. Exhibit A: Bid Rejection Notice
3. Exhibit B: Email communication with Ms. Ervin and screenshots
4. Exhibit C: Confirmation of our date and time of bid submission along with all 10 attachments.

We request that the Award for this eRFP No. 47100-GBI0000096 be suspended immediately until our protest is resolved.

We are filing this formal protest in accordance with the Chapter 6 of the Georgia Procurement Manual and look forward to resolving this at the earliest with your cooperation.

The original signed hardcopy of the formal protest letter with attached exhibits are being sent today by USPS (overnight) Express mail. Please acknowledge receipt this email and advise us the next steps.

Thank you

Regards

Frank Xavier
Vice President



100 E. Campus View Blvd, Suite 380
Columbus, OH 43235
Phone: 614.785.1110



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November 2, 2016

Attn: Assistant Commissioner - Procurement
State Purchasing Division, Department of Administrative Services
200 Piedmont Ave., SE, Suite 1308.
West Tower, Atlanta, GA 30334-9010

RE: eRFP 47100-GBI0000096, National Incident Based Reporting System

To Whom It May Concern:

Upon receiving the Bid Rejection Notice from Ms. Pam Ervin on 11/1/2016 (Exhibit A) for our bid submitted to the Team Georgia Marketplace in response to the eRFP No. 47100-GBI0000096 titled National Incident Based Reporting System (NIBRS), Optimum Technology would like to respectfully submit a notice of protest to the Award. The email communication between Optimum Technology and Ms. Ervin is attached as Exhibit B.

Optimum Technology respectfully submits this notice of protest, as Optimum believes that our bid has been unfairly considered "Non-responsive". Optimum submitted a timely and complete response to the bid including all of the required attachments, and received a confirmation of the same. The confirmation from the Team Georgia Marketplace has been attached as Exhibit C.

Optimum requests that the Award for this eRFP No. 47100-GBI0000096 be suspended until the protest is resolved.

We are filing this formal protest in accordance with the Chapter 6 of the Georgia Procurement Manual. We look forward to resolving this at the earliest with your cooperation.

Sincerely,



Josh M. Davda (President & CEO)

Ervin, Pam

From: Currens, Angelica
Sent: Thursday, November 03, 2016 9:22 AM
To: Ervin, Pam
Cc: Ginsberg, McCall; Sullivan, Rebecca; Eason, Lisa
Subject: Protest Notification
Attachments: Notice of Protest - eRFP 47100-GBI0000096, National Incident Based Reporting System

Dear Pamela Ervin

The State Purchasing Division recently received a protest against RFP number 47100-GBI0000096 titled National Incident Based Reporting System (NIBRS) . The issuing officer for this posting is Pamela Ervin with the GEORGIA BUREAU OF INVESTIGATION. The protest was submitted by a company named Optimum Technology and they have been notified that their protest will undergo a formal review. The RFP posting is currently in Under Revision Status. Please review the attached document for more details about this protest and contact our legal department directly for further assistance on how to proceed.

Rebecca Sullivan
Direct: 404-651-5935
Email: Rebecca.sullivan@doas.ga.gov

McCall Ginsberg
Direct: 404-657-0586
Email: McCall.ginsberg@doas.ga.gov