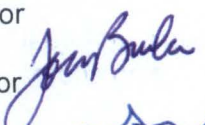



MEMORANDUM

Date: May 15, 2017

To: Chuck Huckelberry, County Administrator

Thru: Tom Burke, Deputy County Administrator 

From: Mary Jo Furphy, Procurement Director 

Re: Appeal of the Procurement Director's decision regarding Solicitation No. 247199 for Janitorial Services

The Janitorial Services solicitation was conducted pursuant to Pima County Code 11.12.020, Competitive Sealed Proposals, which states, "The contract shall be awarded to the responsible and responsive offeror whose proposal is determined to be the most advantageous to the County taking into consideration the evaluation criteria set forth in the solicitation."

New Image is appealing on the basis that the company's cost component is less than ISS Facility Services, Inc. (ISS) and that the company's qualifications are high, while acknowledging that the company was not the highest-scoring proposal.

It is important to remember that this solicitation was conducted as a Request for Proposal (RFP) and not an Invitation for Bid. Although cost is a significant, critical, and sensitive component in RFPs, the award is made on the basis of best score, that is, best fit with all the requirements, including cost. It is never made solely on the basis of cost, which occurs in an Invitation for Bid process. In a Request for Proposal process, the successful respondent is not always the least-cost proposal.

Cost is isolated from the qualifications portion of the proposal and submitted as a separate document. Procurement applies points to the cost based on the Ratio Method formula. With this method, the proposal with the lowest cost receives the maximum points allowed. All other proposals receive a fewer number of points, as determined by the ratio of their costs to the least expensive proposal.

The solicitation for Janitorial Services clearly defined cost was worth a maximum of 30 points of the 100 criteria points. The New Image (NI) proposal was the lowest-cost proposal and was awarded the maximum points for cost, 30. New Image was awarded 60 out of 70 points on the qualifications criteria, with a final score of 90 points. The recommended awardee, ISS, offered

the second-lowest cost and received 28 out of 30 points for price. ISS received 66 out of 70 points on the qualifications criteria, with a final score of 94 points.

It is also important to understand the evaluation committee process. Evaluation committee members have the opportunity to thoroughly review each proposal on an individual basis. Each proposal is evaluated against the criteria and how the offeror responded to the questions in the solicitation. Proposals that do not fully answer the questions or are too vague receive lower scores. After individual scores are submitted to Procurement, a meeting is held to review the scores with the committee members. At that point, committee members have an open discussion and members that assessed the highest and lowest scores are provided the opportunity to justify and/or defend their scores and change them if deemed appropriate. The five committee members for this solicitation were opposed to making any changes to their scores, and consensus was reached naming ISS as the awarded contractor for all three groups.

In the appeal filing, NI provided some numbers in the key fundamentals section. The second point states that the "evaluation average scores were very similar," with 90 (NI) to 94 (ISS). While this is true for the overall score, the qualifications portion had a larger spread of 60 (NI) to 66 (ISS), which amounts to qualification scores of 85.7% (NI) compared to 94.3% (ISS).

The third point uses the number comparison of "three of the five evaluators scored 199 points to New Image and 199 points to ISS." While this fact is also true, those numbers were derived by dropping New Image's two lowest qualification scores. If the same analysis was performed for ISS, with the dropping of ISS's two lowest qualification scores, the results would be that three of the five evaluators scored 186 points to New Image and 203 points to ISS. Everyone's scores are included.

There is a scoring analysis based on ranking that Procurement performs on evaluations that are close. It is not used to make the final determination, but is used as a guide to determine if the answer seems apparent. A ranking analysis gives a view that balances out the fact that some evaluators are consistently hard or easy scorers. A look at the first and second rankings for qualifications only, shows three evaluators rated ISS as first place and two evaluators rated ISS as second place. For New Image, one evaluator rated New Image as first place and four evaluators rated them as second place. This analysis by Procurement supports the determination of the committee.

If the Board of Supervisors determines that lowest cost is the decision factor, I recommend that the Request for Proposal be cancelled and an Invitation for Bid be processed to determine the lowest cost bid.

If the Board of Supervisors determines that both cost and qualifications must be considered, and based on the fact the Request for Proposal defined the qualifications that would be used to score all responses and clearly defined that cost was 30% of that evaluation process, Procurement stands by their decision to recommend award to ISS Facility Services, Inc. and request that the Board of Supervisors uphold my decision.

Attachment: Appeal Letter without attachments



20170510
 11:58 AM
 Pima County Clerk of the Board

May 10, 2017

Julie Castañeda, Clerk of the Board
 Pima County Clerk of the Board
 130 W. Congress Street 5th Floor
 Tucson, AZ 85701

Re: Solicitation # 247199 Janitorial Services – Appeal to the Board of Supervisors

Dear Julie,

This letter is to formally Appeal Pima County Procurement Director, Mary Jo Furphy decision, dated May 4, 2017, to dismiss our Protest letter dated April 28, 2017 (attached). Pursuant to Pima County Procurement Code Section 11.20.010J Appeal to the Board of Supervisors must be submitted to Pima County Clerk of the Board within five (5) business days from Pima County Procurement Director's decision.

After review of the evaluation documents obtained by Public Records Request (see attached), we found that our proposal was the lowest cost in all three (3) groups with a savings of \$967,834.55 to Pima County in the five years of this contract.

Group	ISS Facility - Annual Bid	New Image Bldg. Svcs. - Annual Bid	Annual Difference	Five Year Difference
1. Down Town Facilities	\$1,385,182.26	\$1,300,828.60	-\$84,353.66	-\$421,768.30
2. Outlying "A" Facilities (North)	\$846,333.13	\$787,706.92	-\$58,626.21	-\$293,131.05
3. Outlying "B" Facilities (South)	\$955,005.08	\$904,418.04	-\$50,587.04	-\$252,935.20
Total	\$3,186,520.47	\$2,992,953.56	-\$193,566.91	-\$967,834.55

Key Fundamentals:

- Pima County will receive high quality service at a much lower cost
- Evaluation average score very similar, 94 points vs. 90 points
- Three of the five evaluators scored 199 point to New Image & 199 points to ISS
- Highest employee retention than all three bidders
- High satisfaction of existing Pima County customers

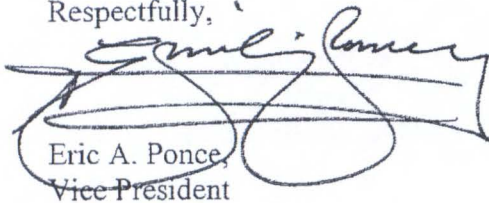
Re: Solicitation # 247199 Janitorial Services – Appeal to the Board of Supervisors – Continued Page 2.

As the current service provider for Pima County Abrams Public Health Building as well Kino Sports Complex and other municipalities including Court buildings, High Security Law Enforcement building etc. we understand the commitment needed to fulfill the requirements of the industry we serve. Our daytime and nighttime team members are frequently inspecting facilities and assuring the cleaning services are being delivered. See attached accolades we frequently receive from Pima County...something not ordinary in our industry, but that we get frequently.

New Image Building Services respectfully request the following minimum remedy:

- Alternate 1 - Award Group 1. Down Town Facilities to New Image Building Services L.L.C. and realize the highest annual savings of all three (3) groups. A savings of over \$420,000.00 over five (5) years.
- Alternate 2 – Award Group 3. Outlying “B” (South) to New Image Building Services L.L.C. to continue existing services to Pima County Abrams Public Health building and realize a savings of over \$250,000.00 over five (5) years.

Respectfully,



Eric A. Ponce
Vice President

ATTACHMENTS

Cc: Ligia G. Ponce, Owner New Image Building Services
File