



STATE OF CONNECTICUT
OFFICE OF GOVERNMENTAL ACCOUNTABILITY
STATE CONTRACTING STANDARDS BOARD

Draft Minutes

State Contracting Standards Board
4e-36 Contested Solicitations and Awards Subcommittee Meeting
Noon, Thursday, October 26, 2017
Fifth Floor Office of the Executive Director
18-20 Trinity Street
Hartford, Connecticut

Members Present:

Robert Rinker, Chair
Bruce Buff
Stuart Mahler
David Guay, Ex-Officio, Executive Director

1. Call to order

Meeting was called to order at Noon by Robert Rinker, Subcommittee Chair.

Chair Rinker recognized the guests in attendance from the Department of Administrative Services.

Cindy Milardo – Contract Team Leader – DAS/Procurement Services
Linda LoSchiavo – Contract Specialist – DAS/Procurement Services
Raymond Philbrick, CPP – Director Safety and Security - DAS

2. Approve the minutes of the October 19, 2017 Meeting

Motion made by Stuart Mahler and seconded by Bruce Buff to approve the minutes of the October 19, 2017 meeting of the State Contracting Standards Board 4e-36 Contested Solicitations and Awards Subcommittee. All voted in favor.

3. Mercury Group Contest of Award

Chair Rinker welcomed the Department of Administrative Services (DAS) representatives to the meeting to answer questions concerning RFP#17PSX0002 State of Connecticut Department of

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Administrative Services, Security Video Surveillance, Access Control and Alarms Systems Services and Monitoring Services.

Chair Rinker summarized the RFP limiting the specifications of the hardware to Panasonic, Honeywell, and Digital Monitoring Products. Chair Rinker asked Raymond Philbrick why he had specified those products only.

Mr. Philbrick explained that the specifications were an effort to bring uniformity, centrality, and eliminating proprietary equipment. Fifty-nine agencies use the DAS specified systems currently, mostly access control.

Ms. Milardo stated for equipment currently not on contract to be serviced, an agency would use its own purchasing authority depending on dollar value under General Letter 71.

Mr. Buff summarized his understanding of the scope of the contract for Connecticut. Mr. Buff believes the Mercury Group believes the contract is for all the State of Connecticut, when it is primarily for the buildings and agencies that DAS Security is responsible for. But this does not preclude other government entities from utilizing the contract.

Mr. Philbrick explained that Colleges and Universities, Judicial, the Legislature and a few Executive Branch agencies such as the Department of Correction are not under the DAS security program, with the proposed contract covering about 70% of the buildings DAS is responsible for.

The contract stemming from RFP#17PSX0002 does not preclude the Mercury Group from servicing or selling products they are certified for to agencies that use those products.

Mr. Buff offered that he believes it is the understanding of the Mercury Group that the RFP will result in a contract for servicing and purchasing of security equipment for all agencies of the State and that no one else would be able to bid on separately or service legacy equipment that they are certified on. Cindy Milardo and Linda LoSchiavo explained that is not true, and the RFP did have a general paragraph about which agencies it covered, but not a list of agencies.

Upon conclusion of the discussion with the Cindy Milardo, Linda LoSchiavo, and Raymond Philbrick, Chair Rinker offered what he sees as three approaches to the contest.

1. Issue a dismissal without prejudice because DAS has not finished and issued a contract.
2. Uphold the Mercury Group's claim.
3. Dismiss the claim.

Discussion was held on whether Mercury has standing to make the contest since they did not submit a bid.

Mr. Buff stated that the facts would not change after the making of an award by DAS. Further commenting that it is an attempt to standardize as stated by Mr. Philbrick. Mercury is under the mistaken impression that this contract would be for the entire State, well beyond Mr. Philbrick's jurisdiction.

Mr. Buff expressed that the RFP could have been clearer, but Mercury's claim of being shutout of all State service and maintenance of the equipment on which they are certified to service and maintain is not true.

Chair Rinker added that he read through the questions and answers to the RFP and in some cases the responses from DAS were short and perfunctory.

Mr. Buff surmised that the Mercury Group contest was that this contract would prohibit them from servicing the equipment they want to service and that is not the case.

Chair Rinker offered that the response to the contest is that DAS is allowed to set the specifications and Mercury did not meet the specifications for this contract and this contract only, subsequently the contest is dismissed.

Mr. Buff offered that maybe it would be helpful to put in a few statements about Mercury misunderstanding the scope of the RFP.

Mr. Mahler offered that a mention of the process and the DAS short and perfunctory responses to questions should be included.

The Subcommittee dismissed the contest and directed Executive Director Guay to draft the Subcommittee's decision for edits by the Subcommittee and signature of the Subcommittee Chair.

- Dismiss due to DAS statutory right to set specifications
- Note Mercury's misunderstanding of the RFP
- Note the DAS responses to questions posed by potential vendors
- Does not preclude the Mercury Group from performing other work

4. Adjournment

Motion made by Bruce Buff and seconded by Stuart Mahler to adjourn at 12:58 P.M. All voted in favor.