

#13
04-14-05



TO: Mayor and City Council
Toby Hammett Futrell, City Manager

FROM: Diana L. Granger, Purchasing Officer

DATE: April 14, 2005

SUBJ: Agenda Item No. 13 - Protest from Ameritex Guard Service

A Request for Proposals was issued on January 17, 2005, by the Purchasing Office for security guard services for Austin Energy. All appropriate processes were followed in conducting the solicitation and evaluating the twelve proposals that were received. Agenda item 13 is a recommendation to approve a contract with U.S. Security Associates.

Ameritex Guard Service was one of the proposers. Ameritex and all other proposers were notified of the recommendation on April 8, 2005. Ameritex submitted an email protesting the recommendation on Wednesday, April 13, 2005 at 6:17 pm. This submission is past the deadline published for submission of protest notices as stated in the City's Protest Procedures. The Purchasing Office will continue to work with Mr. Marquis to address the concerns he expressed, even though his protest will not be considered because it was not timely filed.

Primary concerns expressed by Ameritex include:

1. No M/WBE goals were established for the solicitation. Due to the nature of the work, there are no opportunities for subcontracting security services. The solicitation was reviewed and approved without goals by DSMBR.
2. The City showed preference to the incumbent. The solicitation stated that ISO 9001 certification was preferred, but not required. Of the twelve proposers, four had the certification. The second best evaluated proposer did not have the certification, demonstrating that certification was not considered mandatory.

Given the status of the current contract that expires May 2, 2005, and Austin Energy's need for continuing security services, the Purchasing Office recommends that City Council approve the contract today, April 14, 2005.