



Staff Report Item 11

TO: East Bay Community Energy Board of Directors

FROM: Bruce Jensen, Alameda County Community Development Agency

SUBJECT: Contract Services for Data Management and Call

DATE: April 12, 2017

Recommendations

Accept Staff Report and provide direction to staff regarding the procurement process to retain a data management and call center services consultant.

Background and Discussion

On behalf of EBCE the County of Alameda has conducted the procurement process to bring on board a variety of consultants to help launch EBCE. On December 14, 2016, prior to the formation of the Joint Powers Authority (Authority), the County issued a Request for Proposal for three service categories – Service Category 1: Energy and Technical Support, Service Category 2: Community Outreach, Marketing and Customer Notification, and Service Category 3: Data Management and Call Center.

Each of the bids for the three Service Categories has been protested by a non-winning bidder. The bid protest process for Service Categories 1 and 2 was completed on March 14, 2017 and a vendor was selected. The bid protest process for Service Category 3 (Data Management and Call Center Services) was completed on April 7th. After careful consideration of the bid protest and selection process, the decision was to reject all bids for Service Category 3 and begin a new procurement process. This decision is guided by the County procurement process, and as such can be appealed to the County's Auditor-Controller's Office.

The primary protest claims that the County Selection Committee (CSC) incorrectly found no significant difference in the cost-of-service. The bid protest review finds that the RFP requirement to use the Bid Form to illustrate their cost was insufficient for the bidders and

caused the bidders to provide cost information in an inconsistent manner, which made the evaluation of Cost confusing; and that the CSC incorrectly determined through their scoring that the bidders had equal bid cost. Through the protest process, it also became clear that the CSC did not have the opportunity to assess relevant schedule and billing information in their selection.

The County procurement process does not have the flexibility to reconvene the CSC to evaluate information that was not initially available in the bid proposals. In addition, based on the review of the bids, neither bidder met the County's Small and Emerging Locally Owned Business (SLEB) requirements to be considered for the contract award, thus requiring the County to reject the bids.

Next Steps

The County, bound by its purchasing requirements, initially conducted the procurement process to contract for early phase activities/services in anticipation of the formation of the Authority. Now formed, the Authority can contract directly with consultants should it choose to do so (e.g., Chief Executive Officer selection process).

One option for your Board would be to 'shift' the procurement process for the data management and call center services to the EBCE to complete the selection of the competing vendors, or to initiate a new RFP process. If your Board directs staff to transition the procurement process to EBCE, staff recommends reconvening the CSC to evaluate the pertinent billing schedule and methodology related to cost for both bidders and select a vendor.