

Date June 24, 2019

AFFIRMING HEARING OFFICER'S REPORT OVERRULING APPEAL OF TECHNOLOGY MANAGEMENT CORPORATION RE RFP EVALUATION AND SELECTION COMMITTEE RECOMMENDATION FOR AWARD OF CONTRACT FOR INFORMATION TECHNOLOGY ASSESSMENT AND ROADMAP CONSULTANT SERVICES TO LIGHTEDGE SOLUTIONS, INC. AND APPROVING AWARD OF CONTRACT TO LIGHTEDGE SOLUTIONS, INC. AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT FOR THE PROVISION OF SAME

WHEREAS, on January 11, 2019, the Procurement Division of the Finance Department issued a Request for Proposals (V19-046) for consulting services to develop an Information Technology Assessment and Roadmap (the RFP) to thirty-four (34) potential vendors and received eleven (11) proposals in response; and

WHEREAS, the Evaluation and Selection Committee has reviewed the proposals and has recommended the proposal submitted by LightEdge Solutions, Inc., through its Core2Cloud division, Jeffrey Springborn, President, 909 Locust Street, Suite 301, Des Moines, IA 50309; and

WHEREAS, an appeal of the Evaluation and Selection Committee's recommendation was filed by Technology Management Corporation (TMC), 4790 Lakeway Terrace, Shorewood, MN 55331 (TMC Appeal); and

WHEREAS, the Hearing Officer appointed by the City Manager reviewed the TMC Appeal and all objections therein and a report has been made by the Hearing Officer overruling the objections of TMC pursuant to the Procurement Ordinance and the RFP provisions; and

WHEREAS, the proposal submitted by LightEdge Solutions, Inc. provides for the above described services to be provided through the Core2Cloud division at a total cost of \$134,350.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. The report of the Hearing Officer overruling the objections of TMC stated in its appeal is hereby affirmed.
2. The proposal submitted by LightEdge Solutions, Inc. is approved and accepted.

Date June 24, 2019

3. The City Manager is authorized to negotiate and execute a contract on behalf of the City with LightEdge Solutions, Inc. for Information Technology Assessment and Roadmap consulting services as described in RFP V19-046 and the LightEdge Solutions, Inc. proposal, including the right of LightEdge Solutions, Inc. to subcontract services under the contract in order to provide Core2Cloud services described in the proposal, subject to the review and approval as to form by the Legal Department, and the City Clerk is authorized to attest to his signature.

(Council Communication No. 19-274)

Moved by \_\_\_\_\_ to adopt.

Approved as to Form:

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	<p style="text-align: center;"><b>CERTIFICATE</b></p> <p>I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.</p> <p>IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.</p> <p style="text-align: right;">_____ City Clerk</p>
COWNIE					
BOESEN					
COLEMAN					
GATTO					
GRAY					
MANDELBAUM					
WESTERGAARD					
TOTAL					
MOTION CARRIED				APPROVED	
<p style="text-align: right;">_____ Mayor</p>					

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June 5, 2019

**Report to the City Council and Technology Management Corporation (TMC) Re: Review by Hearing Officer on Appeal by TMC Concerning Evaluation and Selection Committee's Recommendation as to Selection of LightEdge Solutions (Core2Cloud) as Best Proposal for Information Technology Assessment and Roadmap (RFP No. V19-046)**

Technology Management Corporation, 4790 Lakeway Terrace, Shorewood, MN 55331, filed a written appeal timely received by the Procurement Division on May 8, 2019 to the Notice of Intent to Award issued by the Procurement Division informing the proposers of the Evaluation and Selection Committee's recommendation to be made to the City Council to award the Information Technology Assessment and Roadmap to LightEdge Solutions (Core2Cloud)

In response to this appeal, a notice of pending appeal was sent to all proposers. I, Matthew A. Anderson, Deputy City Manager, was appointed by the City Manager to act as the Hearing Officer.

I have completed a review of the Committee's evaluation and selection recommendation based on the record as it relates to the objections raised in the TMC Appeal.

The TMC Appeal was based on three objections. Only one of those objections (#1 below) merited further review. TMC's three objections are listed below and my findings (in italics) immediately follow.

1. We do not believe that LightEdge Solutions (Core2Cloud) meets the requirement of being vendor agnostic.

*Finding: While the term "vendor agnostic" could be more clearly defined, which may have eliminated confusion in the RFP, it is defined on page 5 as [proposers] "must be familiar with multiple technology platforms and providers and not limit their recommendations to a single vendor." Further, per Merriam Webster, "agnostic" is defined as noncommittal or not preferring a particular device or system. Therefore, the question raised by TMC is... Due to Cloud2Core's affiliation with LightEdge Solutions, can they truly be vendor agnostic?*

*After conducting my thorough review of all RFP documentation, the appeal, and the supporting material provided to me by the Chief Information Officer on June 3, 2019, I conclude that Core2Cloud is vendor agnostic. Even if one were to deem the LightEdge – Core2Cloud relationship as less than arm's length, the fact that LightEdge is a vendor of multiple platforms and providers, the Core2Cloud professionals have personal expertise in multiple platforms and providers (including those not affiliated with LightEdge) and Core2Cloud's supplemental question answers all provide clear enough resolutions to dispute the objection. Page 5 of the RFP states that an agnostic vendor will not limit their recommendation to a single vendor and I believe that has been proven.*

***This objection is overruled.***

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2. Significant difference in no-to-exceed costs provided.

*Finding: This is a statement of fact, not necessarily an appealable objection point. Relative cost comprises up to 5 of the available 101 points and the scores were recorded correctly.*

***This objection is overruled.***

3. Significant difference in First Round of Scoring to Finalist Scoring.


*Finding: This is also a not an appealable objection point and is a statement of fact without supporting arguments. The purpose of in-person presentations and interviews is to clarify and expand upon written submissions and evaluate the staff teams to be assigned to the project. This resulted in scoring differences from the two rounds.*

*TMC has requested detailed feedback regarding the change in points so they can improve upon their future presentations. I refer this request to the Chief Information Officer to respond at her earliest convenience in a manner consistent with how this request would be handled for any other proposers for this RFP.*

***This objection is overruled.***

Following my review of the objections and assertions and findings listed above, I find that the appeal is denied.

Respectfully Submitted,



Matthew A. Anderson  
Deputy City Manager and Hearing Officer

Cc: Scott E. Sanders, City Manager  
RFP V19-046 Evaluation and Selection Committee  
LightEdge Solutions (Core2Cloud)  
Technology Management Corporation