



City of PALM COAST

Finance Department

160 Lake Avenue
Palm Coast, FL 32164
386-986-3700

November 30, 2021

Notice of Rejection

Solicitation: RFP-CE-21-42

Notice is hereby given that the City of Palm Coast has completed its evaluation of the two offers received for the above-mentioned solicitation. The City has determined that it is in its best interests to reject both offers submitted.

Reason for Rejection of Bids: As allowed in Section 3.17 and 3.18 in the referenced solicitation, the City has rejected all bids submitted for this RFP. The City has determined that Chapter 2, Section e of the RFP failed to account for the differing ways that governments provide performance incentives and penalties. Both Proposers failed to provide the City with the information it needs to evaluate the Proposals. Chapter 2, Section e reads as follows:

- (e) Each Proposer shall identify each case within the last five years (i.e., on or after January 1, 2016) where:
- (a) a civil, criminal, administrative, bankruptcy or other similar proceeding was filed against the Proposer, if such proceeding arises from or is related to a dispute concerning the Proposer's rights, remedies or duties under a contract with a city, county, or other governmental entity for Collection Services;
 - (b) a city, county, or other governmental entity terminated a contract with the Proposer concerning Collection Services; or
 - (c) administrative fines, liquidated damages or other penalties were assessed or were deducted from the Proposer's payments under a contract with a city, county, or governmental entity for Collection Services and such fines exceeded ten thousand dollars (\$10,000) in one month.

It is of great importance to the City and its residents that the City receive all information regarding performance standards imposed by other governments involving the Proposers. It appears that neither Proposer listed all information regarding "administrative fines, liquidated damages or other penalties...deducted from the Proposer's payments under a contract with a city, county, or governmental entity for Collection Services," because some governmental entities do not use that specific terminology in the provision of their franchise agreements measuring Proposers for performance issues. This Notice of Rejection cancels and supersedes the Award Recommendation and the Notice of Intent to Award, both dated November 8, 2021, which were previously posted for this RFP. The City will advertise a new RFP for this project in the immediate future.

Protest Information: Please be aware under City purchasing policies, unsuccessful bidders may protest the decision. Therefore, this decision is conditional upon the review and resolution of any and all protests filed. Failure to file a protest within the time prescribed in City Code of Ordinances 2017-8 Chapter 2, Article 1, Division 3, Section 2-29, within 3 business days from the posting of this notice, shall constitute a waiver of proceedings under the City Code. Saturdays, Sundays and state holidays are excluded in the computation of the 3 business day time period. Any protest to this decision must be delivered prior to the Protest End Date/Time as specified in this Notice. Protests must be delivered to the City's Financial Services Director at 160 Lake Avenue, Palm Coast, FL 32164 or by emailing halves@palmcoastgov.com

Helena Alves
Financial Services Director

