



State of New Jersey

DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE AND PROPERTY
OFFICE OF THE DIRECTOR
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September 16, 2016

Via Electronic Mail [jfink@keyportarmynavy.com] and USPS Regular Mail

Jeff Fink
Keyport Army Navy
P.O. Box 985
Brick, NJ 08723

RE: Protest of Notice of Award
Bid Solicitation {Request for Proposal} #16DPP00020 – Protective Clothing and Footwear

Dear Mr. Fink:

This letter is in response to your email and correspondence of September 8, 2016, on behalf of Keyport Army Navy (Keyport) received by the Division of Purchase and Property's (Division) Hearing Unit. In that letter, on behalf of Keyport, you protest the Notice of Intent to Award (NOI) a contract for Bid Solicitation {Request for Proposal} #16DPP00020 – Protective Clothing and Footwear issued by the Division's Procurement Bureau (Bureau). More specifically, you protest the award of price line 11 alleging that Anchortex Corporation (Anchortex) did not submit the most current manufacturer's retail price list and catalog for Williamson-Dickies.

By way of background, the subject Bid Solicitation {Request for Proposal} (RFP) was issued by the Bureau on behalf of various New Jersey Agencies and Cooperative Purchasing Program Participants for Protective Clothing and Footwear. RFP § 1.1 *Purpose and Intent*. The intent of the RFP is to award Master Blanket Purchase Orders {Contracts}(contracts) to those responsible Vendors {Bidders} (bidders) whose proposals, conforming to this RFP are most advantageous to the State, price and other factors considered. *Ibid*. Awards will be made by line item. *Ibid*. This is a procurement of services similar to those offered by term contract T0046. RFP § 1.2 *Background*.

On June 28, 2016, the Proposal Review Unit opened the proposals received by the submission deadline of 2:00 p.m. On August 31, 2016, the Bureau issued the NOI which indicated contracts would be awarded as specified therein. Thereafter, on September 8, 2016, the Bureau issued a letter stating “[p]lease be advised that the [Division] is hereby withdrawing the [NOI] to Award issued on August 31, 2016. (See attached copy). A new Notice of Intent to Award will be issued to all bidders.”

In light of the fact that the Bureau has withdrawn the August 31, 2016 NOI, there is no intended contract award and Keyport's protest is therefore rendered moot. Accordingly, there is no

need to render a decision on the merits of Keyport's protest. If a new NOI is issued by the Bureau, Keyport will have the ability to submit a protest should it so choose.

Thank you for your company's interest in doing business with the State of New Jersey and for registering your business with **NJ START** at www.njstart.gov, the State of New Jersey's new eProcurement system.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Griffin", with a stylized flourish at the end.

Maurice Griffin
Chief Hearing Officer

c: J. Kerchner
K. Thomas
K. Popso