SCHEIDT & BACHMANN
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April 8, 2022

Robert E. Gleason, Director
Broward County Purchasing Division
115 S. Andrews Avenue, Room 212
Fort Lauderdale, FL 33301

RE: PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance (PARCS for the Aviation Department)

Dear. Mr. Gleason,

After receiving feedback that our prior letter was submitted prematurely, I see on the County's website that the official ranking has been posted. Therefore, I am resubmitting Scheidt & Bachmann's objection to the Evaluation Committee's ranking and scoring process at the conclusion of the Vendor Presentations for Broward County Request for Letters of Interest (RLI) No. PNC2119994R1, Parking Access and Revenue Control Equipment and Maintenance that took place on Wednesday, March 9, 2022 starting at 1:00 pm Eastern Time.

Our core objection still remains focused around one (1) crucial point from our prior filing. Also, now that the other vendor presentations and scoring have been made public through the County's website, we have a new concern as well.

We kindly ask for more consideration by the County regarding this matter. This objection relates to Broward County Procurement Code Section 21.42, subsection "d", number 4 which states:

If the foregoing does not resolve the tie, the Evaluation Committee shall reconsider the responses and rerank the tied vendors.

NOTE: We acknowledge that your prior response letter dated March 23, 2022 stated "*the SC members procedurally have broad discretion in this matter and may or may not make motions to reconsider*." However, central to our objection is that the procurement code clearly says "shall" and not "may".

It is this specific subsection that was referenced and ultimately utilized during the Evaluation Committee's final tallying of results after there was an apparent tie between Scheidt & Bachmann USA and Designa Access Corporation after the initial round of scoring. However, in accordance with Section 21.42, the Evaluation Committee never officially reconsidered the responses (as required), and instead simply reranked the tied vendors.

To prove this point, there was no further pause for discussion amongst the Evaluation Committee members and no new information was presented. Instead, new tie breaker ballots were already being handed out to the Evaluation Committee while the rules for a tie breaker were still being explained to the vendors on the live streamed conference call. Also, the initial rankings were posted on the screen for all Evaluation Committee members and online participants to see during this time.

Therefore in the few minutes that had transpired from the initial reading and scoring of vendors, the **ONLY** thing that changed is that each of the Evaluation Committee members now officially knew how their colleagues had voted. On the surface this creates implicit bias for the Evaluation Committee members for perhaps wanting to align their initial votes to how a fellow colleague on the Committee may have voted. Again, since there was no further official reconsideration as required under Section 21.42, subsection "d", number 4, this is the only conclusion one could reasonably draw from this chain of events.

Screenshots captured of the live video stream clearly show on the screen for all to see that at 4:26 pm Scheidt and Bachmann had received three (3) first place votes from Evaluation Committee members Ben Sanchez, Dr. Natacha Yacinthe, and Kevin Wu after the initial round of scoring. However, when the re-ranking results were posted on the screen at 4:27 pm it was clear that both Ben Sanchez and Dr. Natacha Yacinthe changed their first place votes for Scheidt & Bachmann to second place votes in a matter of minutes, without (as required) considering any new information. Instead, the only thing new was that all of the Committee members now knew that Scott Campbell and John Pokryfke had ranked another vendor in first place – leading one to reasonably believe that this influenced their votes in the re-ranking.

Once again, we kindly ask for a written response and clarification on this matter.

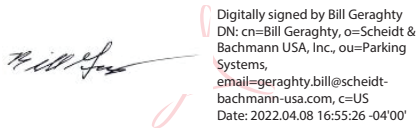
Also, our latest concern stems from the fact that TIBA Parking Systems (the 3rd place ranked vendor) did not comply with the clear instructions provided by Broward County to address a list of specific questions that the County asked for all vendors to address in their presentation. Instead, by giving a generic marketing pitch about TIBA Parking Systems, it is clear that their presentation was not compliant and they should not have received anything other than a third place vote from any of the Committee members. However, Committee member Scott Campbell in the first round of voting gave TIBA Parking Systems a second place vote and Scheidt & Bachmann (who did comply) only a

3rd place vote. Had Mr. Campbell voted Scheidt & Bachmann second, then Scheidt and Bachmann would have been the clear first place winner after the initial round of scoring, and hence avoiding the Committee having to do a re-ranking in the first place.

A second place vote for a vendor that clearly did not comply with County instructions for this procurement does not seem accurate or appropriate. Therefore, we kindly request a reconsideration of the rankings and a response to this specific matter.

We thank you in advance for reviewing these concerns and eagerly await an official response from Broward County.

Sincerely,



Bill Geraghty
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