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# MEMORANDUM

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Date: August 14, 2019

To: The Honorable Chairman and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator 

Re: **August 6, 2019 Board of Supervisors Meeting Agenda Item 33 – Hearing Appeal of the Procurement Director’s Decision**

During Board of Supervisors’ discussion of Agenda Item 33, Hearing - Appeal of the Procurement Director’s Decision McGann & Associates, the Board asked County staff to review the policy regarding this matter. Two questions related to the appeal period and the percent difference between scores.

The Procurement process indicates an appeal must be filed within five business days of posting a notice of award. The award for this particular item was posted on June 20, 2019 and the protest period expired on June 27, 2019. Mr. McGann did not file a protest until July 17. This protest was 18 business days after the notice was posted. Other agencies, such as the City of Tucson and the State of Arizona have protest periods of ten days. The County’s protest period is reasonable at five days. Therefore, I will request no change in the Procurement Code. This issue only arises very infrequently. The most recent untimely appeal was the first in many years.

The matter of close scores between the fourth and fifth vendors will be resolved by deleting the language in Board of Supervisors Policy D29.1, Page 4, Section A, IV, H indicating “if the difference between the scores of respondents intended for award is less than one percent (1%) of the total available points, the evaluation will be presented to the Procurement Director for approval and/or direction.”

CHH/anc

c: Tom Burke, Deputy County Administrator for Administration  
Mary Jo Furphy, Director, Procurement Department