



## 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 [edwin@aaglove.com] and USPS Regular Mail

Edwin Fisher  
A&A Glove & Safety/Industrial Supply  
20 Richey Avenue  
Collingswood, New Jersey 08107

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

Dear Mr. Fisher:

This letter is in response to your email and correspondence of September 8, 2016, on behalf of A&A Glove & Safety/Industrial Supply (A&A Glove) received by the Division of Purchase and Property's (Division) Hearing Unit. In that letter, you indicate that although A&A Glove submitted a proposal for Bid Solicitation {Request for Proposal} #16DPP00020 – Protective Clothing and Footwear issued by the Division's Procurement Bureau (Bureau), the proposal was not evaluated. Upon inquiry with the Bureau about the status of your proposal you were informed that the Bureau was not aware of a proposal being submitted by A&A Glove. You indicate that you then reached out to the Division's NJSTART team who requested that you submit a confirmation that the bid was completed and a quote number. On behalf of A&A you submitted this requested information in the September 8, 2016 correspondence.<sup>1</sup> The Division treats your September 8, 2016 correspondence as a protest of A&A Glove's proposal not being evaluated.

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*.

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<sup>1</sup> A&A Glove's proposal was not evaluated due to the fact that A&A Glove did not follow the instructions outlined in RFP section 4.4.5, *Price Schedule Sheet*, specifically, subsections 4.4.5.1 and 4.4.5.2, related to NJSTART price submissions, which resulted in the NJSTART system not placing A&A Glove's proposal with other "active" proposal submissions. In the future A&A Glove should carefully read and follow all RFP instructions to ensure timely receipt and review of proposals submitted.

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 Notice of Intent to Award issued on August 31, 2016. (See attached copy). A new Notice of Intent to Award will be issued to all bidders.” On September 8, 2016, you were contacted by the Hearing Unit inquiring if, in light of the Bureau’s rescinding the August 31, 2016 NOI and the fact that a copy of A&A Glove’s proposal had been forwarded to the Bureau for review and evaluation, A&A Glove wished to withdraw its protest. As of today, the Hearing Unit has not received a response.

In light of the fact that the Bureau has withdrawn the August 31, 2016 NOI, and that A&A Glove’s proposal has been forwarded to the Bureau for review and evaluation, A&A Glove’s protest is rendered moot. Accordingly, there is no need to render a decision on the merits of this protest. If a new NOI is issued by the Bureau, A&A Glove 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](http://www.njstart.gov), the State of New Jersey’s new eProcurement system.

Sincerely,



Maurice Griffin  
Chief Hearing Officer

c: J. Kerchner  
K. Thomas  
K. Popso