

AIMS Procurement Chronology

On October 17, 2006 (Item No. 26), a Motion to Note for the Record advised the Board of RFP No. A06AV035S-JL to solicit the services of a qualified firm to enter into an Agreement to provide technical services, final design, and installation of the Airport Information Management System and a separate Agreement to subsequently provide support and maintenance services.

On October 25, 2006, the Purchasing Division advertised RFP No. A06AV035S-JL and received two responses by the closing date, December 5, 2006. On April 19, 2007, the Evaluation Committee found both Respondents to be non-responsive to the County's Minority and Women Business Enterprise (MWBE) goal and participation requirements of the RFP. Staff was instructed to re-advertise.

On June 5, 2007, the Purchasing Division re-advertised the Airport Information Management System under RFP No. 20070514-0-AV-01 and received six responses by the closing date of August 14, 2007. It should be noted that prior to this closing date, the County's MWBE Program was suspended. On July 2, 2007, the Purchasing Division issued Addendum No. 2 which removed MWBE participation as a responsiveness criterion. The addendum indicated that the goals would be assigned at a later date. On October 24, 2007 SBDD assigned CDBE participation goals for this procurement. On October 30, 2007, the Evaluation Committee met to determine the responsiveness of all Respondents. One firm, SITA, was deemed non-responsive due to not providing all the required proposed cost information. The Evaluation Committee instructed staff to proceed and schedule the remaining firms for a technical demonstration of their respective products and solutions for the Airport Information Management System.

On November 1, 2007, SITA filed a protest with the Purchasing Division stating that the Evaluation Committee incorrectly deemed the firm non-responsive, which postponed the technical demonstrations. On December 10, 2007, the Director of Purchasing Division denied the protest, based on the fact that the Director of Purchasing appoints the Evaluation Committee, the Evaluation Committee determines if the vendor is responsive, therefore, the Evaluation Committee's decision stands on its own. Staff subsequently scheduled the responsive firms for their respective technical demonstrations for the week of January 14, 2008.

On February 25, 2008, following the technical demonstrations, the Evaluation Committee convened to hear final presentations by the remaining five responsive firms. At that time, one firm, InterSystems USA, Inc. opted not to proceed with a final presentation. The Evaluation Committee evaluated the four remaining firms as follows: (1) Air-Transport IT Services, Inc., (2) Infax, Inc., (3) Talgentra, LTD (Airport 20/20), and (4) Ultra Electronics Airport Systems, Inc. Staff was directed to commence Agreement negotiations with the number one ranked firm, Air-Transport IT Services, Inc..

On March 3, 2008, a collective protest was filed with the Purchasing Division on behalf of the second, third, and fourth ranked firms, Infax, Inc., Talgentra, LTD (Airport 20/20),

and Ultra Electronics Airport Systems, Inc., respectively. The protest alleged that the selection process deviated from established Committee procedures, Broward County guidelines, and/or applicable Florida Law. On May 22, 2008, the Purchasing Division denied the asserted protest based on (1) only the firm that has a substantial interest and is aggrieved may protest. Only one firm, Infax, Inc., is aggrieved, therefore the protests of the others are denied, (2) protests concerning specifications must be made within 72 hours of facts becoming known, which did not happen in this instance, (3) alleged misconduct or misrepresentation is not an element which may be protested, but will be reviewed and replied to, and (4) protests of this nature must be based on deviations of committee procedures and procedures do not include the decision and votes of the Evaluation Committee. On June 2, 2008, Infax, Inc., Talgentra, LTD (Airport 20/20), and Ultra Electronics Airport Systems, Inc. filed an appeal with the Purchasing Division, formally requesting a hearing before a Hearing Officer.

A hearing was scheduled for September 12, 2008. However, on August 29, 2008, legal counsel representing the protesting firms withdrew the collective protest and request for hearing, thus allowing staff to commence negotiations with Air-Transport IT Services, Inc.

On September 30, 2008, the initial Sunshine meeting was held to begin negotiations, followed by ten additional Sunshine meetings through March 19, 2009, to review and refine Agreement documents, Statements of Work, and Exhibits.