



A Tradition of Stewardship  
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Health & Human Services Agency  
Administration Division

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**Randolph F. Snowden**  
Agency Director

July 21, 2010

BY FAX AND EMAIL

Mr. Rudy Manfredi  
President  
Medic Ambulance Service, Inc.  
506 Couch Street, Vallejo, California 94590

Re: Protest to Request for Proposal

Dear Mr. Manfredi:

This letter is in response to your proposal protest letter dated July 7, 2010.

I have read your letter, reviewed the attached documents and carefully considered the concerns that you raise. I reviewed the request for proposal (RFP) process giving due regard to your arguments and have spoken with staff, our consultants, and each member of the review panel. I have also considered the points that you raised during our meeting on July 15, 2010. During the meeting, you also provided me with a letter responding to various statements made by Piner's Ambulance in their own protest proceeding. Because Medic Ambulance does not have standing in the protest of another bidder and because the period for the filing of new protests has expired, I have accepted your letter as additional information provided in the course of the July 15 meeting and have considered the information contained in it to the extent it bears on the issues raised in your protest.

My conclusion is that the proposal evaluation process has thus far been sound and objective, with the results representing a fair comparison of the submitted proposals. I do not believe that the points raised in your protest are meritorious or that they form a basis for departing from the ongoing RFP process.

I base this decision on my assessment of all of the information reviewed in the course of this protest review. During this review, I found the following points to be particularly compelling:

1. The proposal evaluators are experienced and possess a firm understanding of emergency medical services (EMS) in California. The panel was comprised of two county EMS Directors and an EMS medical director.
2. The panel members were selected from outside Napa County to preclude any biases. None of the proposing services provide EMS in their counties.

3. The panel members met over three days and exhaustively reviewed each of the scoring criterion and how each proposer addressed the criteria.
4. The procedures utilized by the panel to score the proposals were well-defined and specifically designed to ensure objectivity.
5. Each of the three evaluators ranked the three proposals in the same order.

Your protest requests that the Health and Human Services Agency rescind the recommendation of the HHS Deputy Director to me and directly award the franchise to Medic Ambulance. Your reasons include:

1. You allege that there were gross inconsistencies among the reviewers' scoring showing prejudice against Medic.
2. You allege that the evaluation committee did not do justice to the County by selecting a provider with higher costs and fewer deployed ambulances.
3. You contend that Paramedics Plus should not have been awarded any points in the financial section.
4. You assert that Paramedics Plus has no experience in California and offers inadequate leadership.
5. You assert that Medic Ambulance is the lowest responsive bid.
6. You assert that the County must follow the procedures outlined in the Napa County Purchasing Manual for evaluating proposals.

In response to the first ground of objection, I find that the evaluation of the proposals was comprehensive and in compliance with the methodology identified in the RFP and described in detail at the Pre-Proposal Conference held on March 30, 2010. A Scoring Process Description is attached. It explains in detail how the proposals were evaluated and how the scores were attributed.

The scoring is based on an objective methodology that was clearly established in the RFP and explained in the Pre-Proposal Conference. Key features include:

- The proposal with the best response to each criterion is awarded the maximum number of points allocated to the item. The other proposals are awarded an equal or lesser number of points based on the individual scorer's opinion of how the proposals compare with the one judged the best. At least one of the proposals will always receive the maximum allowed points for the criterion.

- The specific requirements delineated in the RFP for each criterion were read to the reviewers and each proposal was examined by the reviewers to determine the organization's response to the item.
- The reviewers were instructed to make no assumptions and only consider the information set forth in the proposals.
- After a review of the three proposals' response to the criterion, the panel discussed the issue and then each reviewer individually scored the item.
- The total scores from each reviewer for the technical component of the proposals were averaged to determine the final technical component score.

I reviewed each of the criteria that you specifically referred to in your protest, together with any specific arguments that you made in connection with your objections to the scoring of the specifically identified criteria. I found no trends among the reviewers' scoring evidencing bias or a pattern of unfairness. I did not find errors, discrepancies, or unjustifiable variations in scoring that would have altered the overall ranking of the three proposals, their relative overall scoring, or the overall outcome of the committee's review process.<sup>1</sup>

It is my conclusion that the RFP process has been conducted in a manner that is comprehensive and fair; and that effectuates the policy goals underlying the RFP relating to service quality, safety, and cost.

In response to your second objection, evaluation of the pricing and the resulting scores awarded is included in the overall scores of the proposals. The weight of price scoring was defined in the RFP and reflects the policy determination that cost must be balanced against the quality and performance of the county's emergency ambulance service. The RFP provides for the final contract to be performance-based, rather than a "level of effort" arrangement. The emergency ambulance service provider is required to meet the response time performance requirements stipulated in the RFP regardless of the number of hours projected in the proposals.

In response to your third contention, the points awarded for pricing were calculated using a formula that was described clearly during the Pre-Proposal Conference. This scoring methodology awards the maximum number of points available for pricing to the lowest bid. A lesser number of points is awarded to higher priced bids based on the percentage by which each higher priced proposal

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<sup>1</sup> Some scoring variation is to be expected in a review of this type simply because of the different perspectives of the EMS professionals on the review panel. Beyond this, it is likely that some variation resulted from the fact that your proposal was not consistently organized around the "mandatory table of contents" set forth on pages 20-24 of the RFP. As a result, the reviewers had to search through your entire proposal to locate responsive information relating to certain scoring criteria. Based upon my interviews of the review panel members and my own review of the specific rating criteria referenced in your protest, it is apparent that the panel members were able to locate the responsive information in most of the cases where it was not indexed. There were a few instances where a reviewer may have "missed" information because it was not indexed. However, the net impact of these instances had no material impact on the outcome of the committee's review.

exceeds the lowest. For example, a proposal that is 10% higher than the lowest, would receive 10% fewer points. In this case, Paramedics Plus' pricing was 72% higher than Piner's, which was the lowest, and therefore Paramedics Plus was awarded 72% fewer points or 71 of the total 250 points available. The Alameda County provisions for the scoring of cost were very similar to Napa County's, however, in Alameda County the higher priced proposal was more than 100% above the lower priced proposal. Therefore, the higher priced proposal was awarded 100% fewer points, or zero.

In response to your fourth objection, having an ambulance operation in California was not a requirement of the RFP. Demonstrated performance as a sole 911 ambulance service provider in a jurisdiction similar to or larger in size than Napa County was a requirement. Paramedics Plus has experience in providing emergency 911 ambulance services in multiple states in systems with stringent performance requirements. As part of the county's due diligence, we have contacted three communities in which Paramedics Plus provides exclusive 911 service. According to individuals responsible for oversight of EMS in each of these communities, Paramedics Plus has demonstrated its ability to successfully manage and operate these operations while meeting or exceeding performance requirements.

In response to your fifth objection, the scoring and the points available for each category were defined in the RFP. Pricing accounted for 250 of the 1,500 points. Piner's proposal contained the lowest pricing. The Deputy Director's recommendation for the award of the contract was based on the combined scores of the technical evaluation and pricing which results in a balance of price and quality, as those elements are defined and weighted in the RFP. Again, because the final agreement is to be performance-based and not a level-of-effort arrangement, meeting or exceeding response time performance requirements is mandated regardless of the number of ambulances that are proposed to be deployed.

In response to your sixth objection, the methodology for evaluating the proposals was stipulated in the RFP and explained during the Pre-Proposal Conference. The methodology used is appropriate and was developed to comprehensively and fairly evaluate the complex components required by the RFP and incorporated into the proposals. The RFP references the County's Purchasing Policies solely in regards to the process to be used for protests and appeals.

Should you disagree with my above determinations, you may request an appeal hearing before the County Board of Supervisors by filing a written request with the Clerk of the Board no later than five (5) working days after notification of this letter.

My review has thus far been limited to the issues raised in the filed protests. While they were far-ranging and voluminous, my primary focus in the protest phase is the accuracy and integrity of the RFP process. Thus far, the RFP process has progressed to the point where Karen Smith, Deputy Director of HHSA, has accepted the findings of the review panel and provided me with her recommendation that I should in turn recommend to the Board of Supervisors that Paramedics Plus be

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selected as the next franchisee. I have not acted on her recommendation and do not intend to do so until I have issued rulings on both pending protests and any subsequent appeals have been taken to the Board of Supervisors.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rardolph F. Snowden". The signature is stylized and cursive, with a long horizontal line extending from the end.

Rardolph F. Snowden  
Director

Enclosure: Proposal Evaluation Process Description