



York County Municipal Government, Maine

OFFICE OF THE COUNTY COMMISSIONERS

Qualification of actions taken by the Procurement Agent surrounding the acceptance of proposals after the established date and time deadline. ***Preventive Maintenance and Repair of HVAC Systems RFP # YC-2023-6778204.***

York County Municipal Government (YCMG) established a new model for our procurement process beginning with the bid for a *Public Safety All Hazards Training Structure RFP # YC-2023-5366169* which had an issuance date of April 27, 2023. All subsequent procurements, including the *Preventive Maintenance and Repair of HVAC Systems RFP # YC-2023-6778204* will abide by the new guidance established by this new model. In this model, YCMG added the ability for the proposers to submit their bids by email to our dedicated procurement email address at ycg.procurement@yorkcountymaine.gov.

We noticed as we were gathering the submitted proposals for our bid opening session that our email filter had prevented an attachment from one of the proposers, Draeger Inc., who had submitted before the deadline, from being delivered due to excessive size. We immediately contacted the respective vendor explaining the circumstance and gave them the opportunity to resubmit their proposal. We did not realize that another vendor had also suffered the same fate. When we discovered this oversight, we immediately contacted this vendor, Siemens Industry Inc., to give them the same opportunity as was provided to Draeger Inc., to resubmit their proposal. Communications by email to these respective vendors have been captured and become part of this attestation by reference. We would like to further put emphasis on the fact that both vendors involved in this exceptional issue had submitted responsive and timely emails prior to the RFP deadline.

The YCMG strives to maintain an open and highly competitive procurement environment that is driven by fair and equitable practices within each stage of our procurement process. We believe that our actions taken, as described above, would be found reasonable and permissible under the principles of the existing procurement laws.

Clarification: in the recorded bid opening, we were unable to determine the total submitted bid for the vendor AAA Energy Service as it was submitted by building location. The final cost proposals are as follows, all are annual costs in a three (3) year contracted period.

THAYER LIMITED	\$61,126.00
MECHANICAL SERVICES	\$163,000.00
AAA ENERGY SERVICE	\$131,264.00

I, David B Nalchajian, hereby attest that the actions as specified above related to the Vendor proposals being accepted after the defined deadline date are reflective of York County's deficiencies, not the vendors who submitted the proposals. Justification is identified by the in-time received email that the vendors originally sent. I do hereby attest that this information is true, accurate and complete to the best of my knowledge and I understand that any falsification, omission, or concealment of material fact may subject me to administrative, civil, or criminal liability."

A handwritten signature in black ink, appearing to read "David B. Nalchajian", written over a horizontal line. To the left of the signature is a small "x" mark.

David B. Nalchajian
Procurement Agent



York County Municipal Government, Maine

OFFICE OF THE COUNTY COMMISSIONERS

State of Maine County of York. The foregoing instrument was acknowledged before me, Rose Leeman Notary Public, this 9th day of June, 2023, at 149 Jordan Springs Rd, Alfred, Maine, by David B. Nalchajian to be his free act and deed.

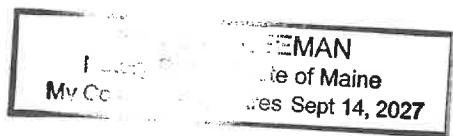
Rose M Leeman

Signature of Notary Public

Name of Notary Public (print your name)

Notary Public, State of Maine

My commission expires: 09/14/2027



HVAC MAINTENANCE Bid Opening

May 24, 2023.

Contractor	Printed Name	Signature
Frayer Limited		
York County Government	FACILITIES HVAC MAINTENANCE SERVICES	

No Attendee.