

Metropolitan Transportation Commission Operations Committee

September 11, 2020

Agenda Item 4k

Bid Protest of Carma Technology Corp. – Appointment of Hearing Panel on Appeal of Protest Determination and Delegation of Authority to Decide Appeal

Subject: Appointment of hearing panel on the appeal of Carma Technology Corp. (Carma) in connection with its protest of the award of Smartphone App-Based Occupancy Verification System Pilot to RideFlag, and delegation of authority to hearing panel to determine the appeal.

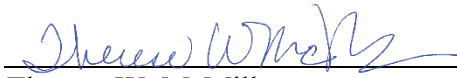
Background: On May 8, 2020, the Operations Committee approved the staff recommendation to award the Smartphone App-Based Occupancy Verification System Pilot to RideFlag following the release of a request for proposals (RFP). On May 12, 2020, Carma, another proposer that responded to the RFP, submitted a protest to the award to RideFlag pursuant to the RFP's protest procedures. An MTC staff person was then appointed as a protest review officer and conducted a review of the protest, and recommended to the MTC Executive Director that Carma's protest be denied. The Executive Director agreed with the recommendation and notified Carma of the result by letter of August 13, 2020. By letter of August 17, 2020, Carma appealed the Executive Director's determination to the Operations Committee pursuant to the RFP's protest procedures.

At this stage, staff requests the Committee approve the appointment of an ad hoc group of two commissioners from the Operations Committee to comprise the hearing panel related to Carma's appeal of the protest determination. Committee Chair Cortese has appointed Commissioner Ahn and Commissioner Sperring to serve on the hearing panel. Staff also requests the Committee to delegate authority to the hearing panel to decide the appeal on behalf of the Operations Committee. The decision will constitute the final agency decision on Carma's protest.

Issues: None identified.

Recommendation: Staff recommends that the Operations Committee approve the appointment of the ad hoc group of commissioners referenced above to comprise the hearing panel related to Carma's appeal of the protest determination, and delegate authority to the hearing panel to decide the appeal on behalf of the Operations Committee.

Attachments: None


Therese W. McMillan