



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

December 15, 2021
AGENDA ITEM #5

Discuss and consider an appeal by Parsons Neology Joint Venture of the Executive Director's protest determination regarding the selection of Electronic Transaction Consultants, LLC for award of a contract to provide electronic toll collection integration and maintenance services for the Mobility Authority

Strategic Plan Relevance:	Not Applicable
Department:	Operations
Contact:	Tracie Brown, Director of Operations
Associated Costs:	Not Applicable
Funding Source:	Not Applicable
Action Requested:	Consider and act on draft resolution

Project Description/Background: On October 27, 2021, the Central Texas Regional Mobility Authority (the "Mobility Authority") Board received a recommendation from the Electronic Toll Collection System (ETCS) Technical Evaluation Committee to approve Electronic Transaction Consultants, LLC (ETC) as the successful respondent to the ETCS Request for Proposal (RFP). The Mobility Authority's Policy Code provides that entities may protest bid-related issues in writing through a filing submitted to the Executive Director. On November 2, 2021, a timely protest was filed on behalf of Parsons-Neology Joint Venture ("PNJV") contesting the selection.

Several issues were raised in the protest regarding ETC's RFP response. These included PNJV's assertion that ETC may have proposed the use of Neology proprietary software; that ETC is not authorized to use or transfer Neology software; and that ETC may have misrepresented their response to questions related to their proposal being installed in a revenue collection capacity.

Based upon the protest submitted by PNJV, the Mobility Authority Policy Code, the bid documents, the bid submitted by ETC, and other matters relevant to the procurement,

the Executive Director denied PNJV's protest and upheld the decision to deem ETC as the successful proposer. The Parsons Neology joint Venture has appealed this decision to the Authority's Board of Directors in a letter dated December 9, 2021.

Previous Actions & Brief History of the Program/Project: In November 2020, the Mobility Authority publicly released a Request for Qualification (RFQ) on CIVCAST for electronic toll collection integration and maintenance services. Notice was advertised with IBTTA, Toll Road News, and the Austin American-Statesman. Six responses to the RFQ were received from ACS-SICE Joint Venture, Emovis, ETC, Kapsch TrafficCom, USA, Parsons-Neology Joint Venture, and TransCore. All but Emovis were prequalified to receive the Request for Proposals (RFP).

In October 2021, the Mobility Authority Board approved the recommended vendor to proceed into contract negotiations.

Financing: Not Applicable

Action requested/Staff Recommendation: After reviewing the appeal submitted by PNJV and evaluating the statements contained with the letter, staff recommends that the Board uphold the decision of the ETCS Evaluation Team and Mobility Authority Executive Director.

Backup provided: Draft resolution to be provided at the board meeting.