



State of New Jersey

DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE AND PROPERTY
OFFICE OF THE DIRECTOR
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December 19, 2014

Via Electronic Mail [rays@generaltrafficequip.com] and USPS Regular Mail

Raymond G. Staffon, President
General Traffic Equipment Corp.
259 Broadway
Newburgh, NY 12550

Re: Untimely Proposal Submission
RFP #15-X-23605 Traffic Signals, Poles, Controls, Electrical Equipment, LED Signal
Indications and Warning Devices

Dear Mr. Staffon:

This is in response to your letter dated December 10, 2013, and received December 11, 2014, referencing the subject Request for Proposal (“RFP”) and regarding the proposal submitted by General Traffic Equipment Corp. (“GTE”) to the Division of Purchase and Property (“the Division”). The record of this procurement notes that GTE was unable to upload its proposal through the Division’s eBid system by the proposal submission deadline of 2:00 p.m. on December 10, 2014. In your letter, you contend that you encountered an error, of no fault of your own, while attempting to reset and input your password to complete the proposal submission, and during this process, the Division’s technical support unit was unable to remedy the situation. Upon discovering you would not be able to utilize the eBid system in a timely manner, you mailed the proposal via overnight delivery to the Division. As such, you request the Division accept your proposal submission and include it in the evaluation process.¹

I have reviewed the record of this procurement, including the RFP, the technical support unit’s data log, and relevant statutes, regulations, and case law. This review has provided me with the information necessary to determine the facts of this matter and to render an informed determination on the merits of GTE’s request.

The proposal opening date of the subject RFP was 2:00 p.m. on December 10, 2014. The Division’s eSupport records show that GTE contacted the Division by calling the eBid Support Phone Line around 8:00 a.m. on December 10, 2014, to report it had been unable to reset its

¹ Please note that GTE’s proposal has remained closed until the issuance of this decision.

password and log into the eBid system.² Despite multiple phone calls with the Division's technical support staff throughout the remainder of the day, the Division was unable to remedy the problem and GTE continued to receive error messages when attempting to login. The Division then advised GTE to submit a hard copy proposal.

Upon further investigation, it has been determined that there was an anomaly with the eBid system that prevented GTE's account from functioning normally. The problem has since been resolved and GTE's account is now functioning normally. Because the Division technical support unit accepts responsibility for this technical malfunction, and because GTE contacted the Division within a reasonable amount of time prior to the proposal submission deadline, the Proposal Review Unit is directed to accept GTE's hardcopy submission as a timely submitted proposal.

Thank you for your interest in doing business with the State of New Jersey and for your attention on this matter. I invite you to take this opportunity to register your business with [NJ START](http://www.njstart.gov) at www.njstart.gov, the State of New Jersey's new eProcurement system, which is scheduled to go live shortly and will provide a "one-stop shop" for vendors to submit proposals, maintain required forms and certifications, and present purchase orders and invoices for payment.

Sincerely,



Ronald G. Wengerd
Chief Hearing Officer

RGW:DF

c: D. Rodriguez
R. Sharbaugh
J. Signoretta
D. Holt

² GTE's letter also contends it attempted to reset its password and upload its proposal beginning mid-day on December 9, 2014.