

NEBRASKA

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DEPT. OF ADMINISTRATIVE SERVICES

August 13, 2019

Kade Harris, Client Alignment Executive
Netsmart Technologies Inc.
4950 College Blvd.
Overland Park, KS 66211

Re: *RFP 6097 Z1,*
Protest of Award



Dear Mr. Harris:

We are in receipt of your letter dated July 22, 2019, regarding Netsmart's protest of the Intent to Award posted July 11, 2019, in connection with the above-captioned RFP. After careful review and consideration we find as follows:

- (1) Netsmart indicates they question if all interface costs have been included in Omnicell's bid proposal. As allowed in Section VII.A. of the RFP, the State sought clarification as to whether Omnicell included the cost of interfaces in its proposal. Omnicell indicated that it did include the cost of interfaces in the monthly Lease Payment of the NAC 2016 VMWare Server. The bid submitted by Omnicell meets all of the interface requirements of the RFP.
- (2) Netsmart indicates they also question whether the information requested in Section I (Summary of Bidder's Proposed Personnel/Management Approach) was provided by Omnicell. Section V.A.2.I. of the RFP states that "[t]he bidder should provide resumes for all personnel proposed by the bidder to work on the project." In the glossary of the RFP the term 'should' is defined as: Expected; suggested, but not necessarily mandatory. A proposal that does not include suggested items is not rejected.
- (3) Netsmart indicates in Section II (Terms and Condition) of the RFP Omnicell responded to each clause by selecting the "reject and provide alternative within RFP response" without providing any alternative. The introduction to said Section II of the RFP states "[t]he State reserves the right to negotiate rejected or proposed alternative language." This is the approach the State took with the Omnicell bid proposal as is within the State's right in determining what is in the best interests of the State.
- (4) Netsmart has questioned whether or not the optional renewal periods were to include new hardware or just the costs for maintaining the existing hardware. SER-3 of the Business Requirements matrix asks the bidders to describe the process for replacement when a machine is out of service. This process would apply to the entire term of the contract, including optional renewal period.

Your protest is being denied as the awarded bidder's proposal has been found to meet the requirements of the RFP.

Doug Carlson, Deputy Director, Materiel Administrator

Department of Administrative Services | MATERIEL DIVISION

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Lincoln, Nebraska 68508

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We thank you for your interest in doing business with the State of Nebraska and welcome you to contact us at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Doug Carlson', written over a faint circular stamp.

Doug Carlson, Deputy Director, Materiel Administrator
Department of Administrative Services

cc: Nancy Storant, Buyer
DHHS

jls