



November 26, 2019

Paul Hottovy, Director of Sales
Duo Lift Manufacturing Company, Inc.
2810 38th Street
Columbus, NE 68601

Re: *ITB 6135 OF, 12,000 Pound GVWR Tandem Axle Trailer with Electric Brakes
Protest of Award*

Mr. Hottovy:

We are in receipt of your letter dated November 19, 2019, regarding the award decision of Invitation to Bid (ITB) No. 6135 OF.

In such letter you contend that Murphy Tractor & Equipment's bid response is invalid due to the following issues in their proposal:

- 1) Murphy Tractor failed to list a Make and Model on the first page of the proposal in the blanks provided.
- 2) There is conflicting and inaccurate information regarding the 88" specification provided by Murphy Tractor.

After careful review and consideration we provide to you the following responses.

- 1) Regarding the make and model matter, we find that while the proposal of Murphy Tractor did not list the make and model on the first page, the Product Information attached to the bid proposal sufficiently identifies the make and model. The absence of this information on the front page would not invalidate the bid proposal. The absence of such information on our Bid Tabulation sheet was an oversight that we have since corrected.
- 2) Regarding the matter of the conflicting information on the distance between the fenders, please note the terms and conditions of the ITB provide in Section I.K. that a correction to a contractor's proposal may be permitted if the change made to correct the minor error does not affect price, quantity, quality, delivery, or contractual conditions. Clarification was sought on distance between the fenders (specification F.4. under Section VI.). The signed certified engineer's drawing confirmed the distance between the fenders is 81.88" for a total distance of 102", which meets the specification.

Pursuant to such findings, we find the contract was appropriately awarded and in accordance with state law; thus the contract award will stand and the protest submitted by Duo Lift Mfg. Co. is hereby denied.

Doug Carlson, Materiel Administrator & Deputy Director

Department of Administrative Services | MATERIEL DIVISION

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We thank you for your interest in doing business with the State of Nebraska.

Sincerely,



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

cc: Buffy Meyer, SPB Buyer

jls

