

**STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND**

In the Matter of Protests of:

Enforcement Motors, Inc.

Extreme Sports Yamaha Polaris

Materials Management Office
IFB #5400006536

Vehicles-Statewide Law Enforcement
Motorcycles

BEFORE THE CHIEF PROCUREMENT OFFICER

DECISION

CASE NO.: 2013-133

CASE NO.: 2013-143

POSTING DATE: December 3, 2013

MAILING DATE: December 3, 2013

This matter is before the Chief Procurement Officer (CPO) pursuant to a protest filed by email October 14, 2013 from Enforcement Motors, Inc. under authority of South Carolina Code Section 11-35-4210. With this invitation for bids (IFB), the Materials Management Office (MMO) attempts to procure statewide term contracts for the following law enforcement vehicles:

- Motorcycle-Law Enforcement, Cruiser;
- Motorcycle-Law Enforcement, Touring;
- Sedan, Full Size, All Wheel Drive, Pursuit Package;
- Truck, 4X2 Utility (SUV), Intermediate, 4 Door, All Wheel Drive, Pursuit Package – Flex Fuel

After evaluating the bids received, on October 14, 2013, MMO posted its intent to award. On the same day, Christie Hartin of Enforcement Motors protested MMO's intent to award Item #1- Law Enforcement Motorcycle - Cruiser, to Harley-Davidson of Ashville and Item #2- Law Enforcement Motorcycle - Touring, to Extreme Sports Yamaha Polaris alleging:

The intent to award was given to two dealers that ONLY bid the motorcycle, NO equipment for law enforcement use. Their pricing is only for the motorcycle. In the **Invitation to Bid** it specifically details that the police motorcycle shall be equipped with all standard equipment for law enforcement use, which is how Enforcement Motors bid the contract. Our price reflects a fully functional police motorcycle with the standard equipment. [Emphasis theirs]

[Exhibit #1]

On October 18, 2013, the CPO received a second email from Ms. Hartin of Enforcement Motors reading, "I am removing the protest for the Harley Davidson." [Law Enforcement Motorcycle, Cruiser] Regarding Item #2, Law Enforcement Motorcycle, Touring, Ms. Hartin wrote:

The protest on the Yamaha was submitted and still stands in regards to pricing and police model. The price of the bike submitted from the other bidder was wholesale and a civilian model with no equipment for law enforcement use. Enforcement Motors is the only manufacturer of the police model Yamaha FJR 1300P. We work with dealers all over the county to upfit the Yamaha for local municipalities. The bike offered by Enforcement Motors is a law enforcement motorcycle.

[Exhibit #2]

On November 20, 2013, the awarded bidder for Item #2, Motorcycle - Law Enforcement Motorcycle, Touring, Extreme Sports Yamaha Polaris responded to Enforcement Motors' protest by submitting a protest itself. Richard Davis wrote:

Please accept this as notice that Extreme Sports Yamaha Polaris is submitting a formal protest for the Law Enforcement Touring Motorcycle 5400006536. The bid for the Yamaha FJR1300A that we submitted matched all of the criteria listed and described as factory installed options and requirements that were listed in the solicitation documents. For the "optional equipment" section, both the "adds" and "deducts" sections were intentionally left blank by the CPO. We had no specifications listed that would describe what accessories made this motorcycle for police use. There was no reference or resource that would direct us to believe that the unit that we bid on was not what the request was asking for. Yamaha does not produce a police motorcycle model "FJR1300P" or any police model FJR1300. The solicitation document was too vague. We met every solicitation requirement in the bid request. If there were other specifications that were required, they were not listed in any way.

[Exhibit #3]

Finally, on November 22, 2013, John Stevens, State Procurement Officer, wrote the CPO, "Although the state issued its Intent to Award to Extreme Sports Yamaha for the FLR 1300A, this posting was in error. The State therefore asks that you grant the protest from Enforcement

Motors, Inc. thereby canceling the Intent to Award to Extreme Sports Yamaha Polaris.” [Exhibit #4]

As the issues to be decided are clear, the CPO makes this decision without a hearing, based upon an administrative review of the protest letters [Ex’s. 1, 2, and 3]; the response to the protest from John Stevens, State Procurement Officer [Ex. 4]; and the procurement file.

NATURE OF PROTEST

The complete emails of protest and the response by Mr. Stevens are attached and incorporated herein by reference

FINDINGS OF FACT

The following dates are relevant to the protest:

1. On August 8, 2013, MMO conducted a pre-solicitation meeting with the Vehicle Specification Committee and vendors.
2. On August 29, 2013, MMO published the IFB.
3. On September 10, 2013, MMO conducted a Pre-bid Conference.
4. On September 11, 2013, MMO issued Amendment #1, the only amendment to the IFB. The amendment rewrote and replaced the IFB in its entirety.
5. On October 1, 2013, MMO opened the bids.
6. On October 14, 2013, MMO posted its Intent to Award.
7. On the same day, the CPO received the protest email from Enforcement Motors.
8. On October 23, 2013, MMO suspended its Intent to Award due to the protest.

DISCUSSION

According to Amendment #1, the Standardized Specifications for Item #2, Motorcycle-Law Enforcement, Touring, list as acceptable models, “BMW R1200RTP, Honda ST1300PA, Kawasaki Concours 14P, Yamaha FJR 1300P, or equal.” Regarding the specific requirements for law enforcement use, the specifications read, “The motorcycle shall be specially designed and built

for Police/Special Service activities”, “The electrical system shall be equipped to handle Police Law Enforcement equipment with a heavy duty alternator”, and “The tires shall have been tested and certified for high speed operation.” [IFB p. 22]

Extreme Sports Yamaha Polaris bid a Yamaha model FJR1300A, not a Yamaha model FJR1300P. Regarding the model FJR1300A, Extreme Sports Yamaha bid, Mr. Davis argued in his protest letter, “The bid for the Yamaha FJR1300A that we submitted matched all of the criteria listed and described as factory installed options and requirements that were listed in the solicitation documents. For the “optional equipment” section, both the “adds” and “deducts” sections were intentionally left blank by the CPO. We had no specifications listed that would describe what accessories made this motorcycle for police use. There was no reference or resource that would direct us to believe that the unit that we bid on was not what the request was asking for.” [Exhibit #3]

Extreme Sports Yamaha bid a Yamaha model FJR1300A, instead of a Yamaha model FJR1300P, which was listed in the solicitation as acceptable. Enforcement Motors classified the FJR1300A bid by Extreme Sports Yamaha “a civilian model with no equipment for law enforcement use” writing further “Enforcement Motors is the only manufacturer of the police model Yamaha FJR 1300P. We work with dealers all over the county to upfit the Yamaha for local municipalities.” [Ex. 2] In his memorandum of November 22, 2013, asking the CPO to grant the protest of Enforcement Motors, Mr. Stevens wrote, “Extreme Sports Yamaha identifies its offer for Item #2 to be a Yamaha FJR 1300A, “a civilian, not police motorcycle.” [Ex. 4] Even Extreme Sports Yamaha wrote, “Yamaha does not produce a police motorcycle model “FJR1300P” or any police model FJR1300.” [Ex. 3] Therefore, the motorcycle offered by Extreme sports Yamaha was not “equal” to the specified models.

CONCLUSIONS OF LAW

Regarding award of an invitation for bids, the Consolidated Procurement Code reads, “notice of an award or an intended award of a contract [must be given] to the lowest responsive and responsible bidders whose bid meets the requirements set forth in the invitation for bids.” [11-35-1520(10) Award] Code defines a responsive bidder as “a person who has submitted a bid or offer which conforms in all material aspects to the invitation for bids or request for proposals.” [11-35-1410(7)]

The supporting regulations add, “Any bid which fails to conform to the essential requirements of the invitation for bids shall be rejected.” [S.C. Code Ann. Reg. 19-445.2070A, Rejection of Individual Bids]. Further, “Ordinarily a bid should be rejected when the bidder attempts to impose conditions which would modify requirements of the invitation for bids.”

Clearly, MMO requested bids for touring motorcycles for law enforcement use. The title of the IFB was Vehicles – Statewide Law Enforcement. Item #2 was identified as Motorcycle-Law Enforcement. The specifications listed as acceptable a Yamaha model FJR 1300P, not the model FJR 1300A that Extreme Sports Yamaha offered. The specifications also required the motorcycles must be “specially designed and built for Police/Special Service activities.” By its own admission, Extreme Sports Yamaha did not bid a Yamaha motorcycle designed and built for police/special services activities. Therefore, the protest of Enforcement Motors is granted.

Regarding the counter protest of Extreme Sports Yamaha that “We had no specifications listed that would describe what accessories made this motorcycle for police use”, the CPO acknowledges that specifications identifying the requirements for a motorcycle “specifically designed and built for Police/Special Services activities” weren’t abundantly clear. However, MMO did identify the Yamaha FJR 1300P, an aftermarket modified motorcycle only available from Enforcement Motors, not Extreme Sports Yamaha, as acceptable. The IFB listed salient

features including “The motorcycle shall be specially designed and built for Police/Special Service activities”, “The electrical system shall be equipped to handle Police Law Enforcement equipment with a heavy duty alternator”, and “The tires shall have been tested and certified for high speed operation.” [IFB p. 22]

Extreme Sports Yamaha protested “The solicitation document was too vague.” However, MMO gave Extreme Sports Yamaha sufficient notice on August 29, 2013 of its intention to limit competition to motorcycles manufactured/modified for police activities. Yet, Extreme Sports Yamaha did not file a protest. On September 11, 2013, with the only amendment, MMO republished the IFB confirming its intention to limit competition to motorcycles manufactured/modified for police activities. Once again, Extreme Sports Yamaha did not file a protest.

The Code provides:

(a) A prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the solicitation of a contract shall protest to the appropriate chief procurement officer in the manner stated in subsection (2)(a) within fifteen days of the date of issuance of the Invitation For Bids or Requests for Proposals or other solicitation documents, whichever is applicable, or any amendment to it, if the amendment is at issue. An Invitation for Bids or Request for Proposals or other solicitation document, not including an amendment to it, is considered to have been issued on the date required notice of the issuance is given in accordance with this code.

(b) Any actual bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of a contract shall protest to the appropriate chief procurement officer in the manner stated in subsection (2)(b) within ten days of the date award or notification of intent to award, whichever is earlier, is posted in accordance with this code; except that a matter that could have been raised pursuant to (a) as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract.

[11-35-4210(1)]

Extreme Sports Yamaha did not file its protest until November 20, 2013, almost three months after MMO published its IFB and more than two months after MMO published the only amendment to the IFB. Therefore, its protest was untimely filed.

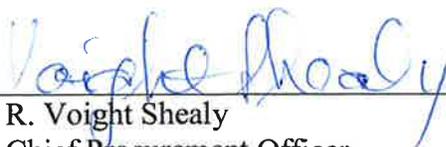
The South Carolina Procurement Review Panel has repeatedly held that the time for filing cannot be waived. *See In Re: Protest of Jones Engineering Sales, Inc.*, Panel Case No. 2001-8 (finding that the CPO did not have jurisdiction to rule on the protest issue because the time for filing protests of the solicitation is jurisdictional and may not be waived); *In Re: Protest of National Cosmetology Ass'n*, Panel Case No. 1996-17 (finding that “where the appeal is not taken within the time provided, jurisdiction cannot be conferred by consent or by waiver”); *In Re: Protest of Vorec Corporation*, Panel Case No. 1994-9 (finding that a protest of award was untimely when it was filed one day after the deadline established by the Code prior to its amendment). The Panel has explained its rationale for why this time limit is jurisdictional and cannot be waived as follows:

[I]t is essential to the operation of government that challenges to its purchasing decisions be limited. If the time for filing protests can be waived, the state will be unable to determine with certainty when it can enter into a contract with one vendor for vital goods and services without the danger of being liable to another vendor.

In Re: Protest of Oakland Janitorial Services, Inc., Panel Case No. 1988-13.

DETERMINATION

For the reasons stated above, the protest of Enforcement Motors is granted; the intent to award Item #2 to Extreme Sports Yamaha is cancelled. The protest of Extreme Sports Yamaha is denied. The procurement is remanded to the State Procurement Office for further evaluation.



R. Voight Shealy
Chief Procurement Officer
For Supplies and Services



Date

Columbia, S.C.

STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW
Protest Appeal Notice (Revised June 2013)

The South Carolina Procurement Code, in Section 11-35-4210, subsection 6, states:

(6) Finality of Decision. A decision pursuant to subsection (4) is final and conclusive, unless fraudulent or unless a person adversely affected by the decision requests a further administrative review by the Procurement Review Panel pursuant to Section 11-35-4410(1) within ten days of posting of the decision in accordance with subsection (5). The request for review must be directed to the appropriate chief procurement officer, who shall forward the request to the panel or to the Procurement Review Panel, and must be in writing, setting forth the reasons for disagreement with the decision of the appropriate chief procurement officer. The person also may request a hearing before the Procurement Review Panel. The appropriate chief procurement officer and an affected governmental body shall have the opportunity to participate fully in a later review or appeal, administrative or judicial.

Copies of the Panel's decisions and other additional information regarding the protest process is available on the internet at the following web site: <http://procurement.sc.gov>

FILE BY CLOSE OF BUSINESS: Appeals must be filed by 5:00 PM, the close of business. *Protest of Palmetto Unilect, LLC*, Case No. 2004-6 (dismissing as untimely an appeal emailed prior to 5:00 PM but not received until after 5:00 PM); *Appeal of Pee Dee Regional Transportation Services, et al.*, Case No. 2007-1 (dismissing as untimely an appeal faxed to the CPO at 6:59 PM).

FILING FEE: Pursuant to Proviso 108.1 of the 2013 General Appropriations Act, "[r]equests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the South Carolina Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6) and/or 11-35-4410...Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. The Request for Filing Fee Waiver form is attached to this Decision. If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing." PLEASE MAKE YOUR CHECK PAYABLE TO THE "SC PROCUREMENT REVIEW PANEL."

LEGAL REPRESENTATION: In order to prosecute an appeal before the Panel, business entities organized and registered as corporations, limited liability companies, and limited partnerships must be represented by a lawyer. Failure to obtain counsel will result in dismissal of your appeal. *Protest of Lighting Services*, Case No. 2002-10 (Proc. Rev. Panel Nov. 6, 2002) and *Protest of The Kardon Corporation*, Case No. 2002-13 (Proc. Rev. Panel Jan. 31, 2003); and *Protest of PC&C Enterprises, LLC*, Case No. 2012-1 (Proc. Rev. Panel April 2, 2012). However, individuals and those operating as an individual doing business under a trade name may proceed without counsel, if desired.

**South Carolina Procurement Review Panel
Request for Filing Fee Waiver
1105 Pendleton Street, Suite 202, Columbia, SC 29201**

Name of Requestor

Address

City

State

Zip

Business Phone

1. What is your/your company's monthly income? _____

2. What are your/your company's monthly expenses? _____

3. List any other circumstances which you think affect your/your company's ability to pay the filing fee:

To the best of my knowledge, the information above is true and accurate. I have made no attempt to misrepresent my/my company's financial condition. I hereby request that the filing fee for requesting administrative review be waived.

Sworn to before me this

_____ day of _____, 20 _____

Notary Public of South Carolina

Requestor/Appellant

My Commission expires: _____

For official use only: _____ Fee Waived _____ Waiver Denied

Chairman or Vice Chairman, SC Procurement Review Panel

This _____ day of _____, 20 _____

Columbia, South Carolina

NOTE: If your filing fee request is denied, you will be expected to pay the filing fee within fifteen (15) days of the date of receipt of the order denying the waiver.

Skinner, Gail

From: Protest-MMO
Sent: Monday, October 14, 2013 12:40 PM
To: _MMO - Procurement; Shealy, Voight; Skinner, Gail
Subject: FW: Solicitation 5400006536 Protest

From: Christie Hartin
Sent: Monday, October 14, 2013 12:44:31 PM (UTC-05:00) Eastern Time (US & Canada)
To: Protest-MMO
Cc: Adams, Stacy
Subject: Solicitation 5400006536 Protest

To Whom it may concern,

I received the bid tabulation results this morning, thank you. The intent to award was given to two dealers that **ONLY** bid the motorcycle, **NO** equipment for law enforcement use. Their pricing is only for the motorcycle. In the **Invitation to Bid** it specifically details that the police motorcycle shall be equipped with all standard equipment for law enforcement use, which is how Enforcement Motors bid the contract. Our price reflects a fully functional police motorcycle with the standard equipment.

This is a formal protest to the "Intent to Award".

Best Regards,
Christie Hartin

Enforcement Motors™

Christie Hartin
Enforcement Motors, Inc
10145 N. Aero Dr. Ste #7
Hayden, ID 83835
Dealer # 4611
(208) 772-6101 Office
(208) 279-7207 Fax
(208) 635-5013
(855)268-3871 Toll Free
(208)699-5133 Cell
www.enforcementmotors.com

Statement of Confidentiality:

This electronic message transmission, and all attachments, contains information which is confidential and privileged. The information is for the exclusive viewing or use of the intended recipient. If you are not the

Skinner, Gail

From: Protest-MMO
Sent: Friday, October 18, 2013 2:30 PM
To: _MMO - Procurement; Shealy, Voight; Skinner, Gail
Subject: FW: Solicitation 5400006536 Protest Addendum #1

From: Christie Hartin
Sent: Friday, October 18, 2013 2:35:34 PM (UTC-05:00) Eastern Time (US & Canada)
To: 'Christie Hartin'; Protest-MMO
Cc: Adams, Stacy
Subject: RE: Solicitation 5400006536 Protest Addendum #1

To whom it may concern,
Addendum #1

In the protest submitted on 10-14-2013 I included both the Harley Davidson and the Yamaha. This notice serves as an addendum #1 to the protest. I am removing the protest for the Harley Davidson.

The protest on the Yamaha was submitted and still stands in regards to pricing and police model. The price of the bike submitted from the other bidder was wholesale and a civilian model with no equipment for law enforcement use. Enforcement Motors is the only manufacturer of the police model Yamaha FJR 1300P. We work with dealers all over the county to upfit the Yamaha for local municipalities. The bike offered by Enforcement Motors is a law enforcement motorcycle. Please advise if any further information is needed.

Best Regards,
Christie Hartin

Enforcement Motors™



Christie Hartin
Enforcement Motors, Inc
10145 N. Aero Dr. Ste #7
Hayden, ID 83835
Dealer # 4611
(208) 772-6101 Office
(208) 279-7207 Fax
(208) 635-5013
(855)268-3871 Toll Free
(208)699-5133 Cell
www.enforcementmotors.com

Statement of Confidentiality:

Skinner, Gail

From: Protest-MMO
Sent: Wednesday, November 20, 2013 5:53 PM
To: _MMO - Procurement; Shealy, Voight; Skinner, Gail
Subject: FW: Soliciation 5400006536 Protest

From: Richard W. Davis
Sent: Wednesday, November 20, 2013 5:54:08 PM (UTC-05:00) Eastern Time (US & Canada)
To: Protest-MMO
Cc: Adams, Stacy; 'Dick Davis'; Shealy, Voight
Subject: Soliciation 5400006536 Protest

To Whom it may concern,

Please accept this as notice that Extreme Sports Yamaha Polaris is submitting a formal protest for the Law Enforcement Touring Motorcycle 5400006536. The bid for the Yamaha FJR1300A that we submitted matched all of the criteria listed and described as factory installed options and requirements that were listed in the solicitation documents. For the "optional equipment" section, both the "adds" and "deducts" sections were intentionally left blank by the CPO. We had no specifications listed that would describe what accessories made this motorcycle for police use. There was no reference or resource that would direct us to believe that the unit that we bid on was not what the request was asking for. Yamaha does not produce a police motorcycle model "FJR1300P" or any police model FJR1300. The solicitation document was too vague. We met every solicitation requirement in the bid request. If there were other specifications that were required, they were not listed in any way.

Respectfully,

Richard W. Davis
Extreme Sports Yamaha Polaris
405 West Wesmark Blvd.
Sumter, SC 29150
p: (803) 905-7766
f: (803) 905-7769
www.esyp.com
info@esyp.com



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Via email

November 22, 2013

Materials Management Office
Attn: R. Voight Shealy, CPM
1201 Main St., Suite 600
Columbia, SC 29201

Re: Solicitation No. 5400006536 – Vehicles – Statewide Law Enforcement

Dear Mr. Shealy,

In response to the State's Intent to Award for solicitation item #2, Motorcycle – Law Enforcement Touring, Enforcement Motors, Inc., filed a protest dated October 14, 2013. Enforcement Motors amended its protest in a follow-up email dated October 18, 2013.

Solicitation documents may be viewed at
<http://webprod.cio.sc.gov/SCSolicitationWeb/contractSearch.do?solicitnumber=5400006536>.

The timeline for the solicitation was as follows:

- Pre-Solicitation Meeting – Vehicle Spec Committee and Vendors – August 8, 2013
- Original Solicitation published August 29, 2013
- Pre-Bid Conference conducted September 10, 2013
- Solicitation Amendment #1 published September 11, 2013
- Opening Date/Time: October 1, 2013, at 11:00 AM
- Intent to Award published October 14, 2013
- Intent to Award suspended October 23, 2013

After review of the solicitation file, I find the following:

On page 22 of Solicitation Amendment #1, the controlling solicitation document, the State specified as follows:

LAW ENFORCEMENT TOURING MOTORCYCLE SPECIFICATIONS

(BMW R1200RTP, Honda ST1300PA, Kawasaki Concours 14P, Yamaha FJR 1300P, or equal)

EQUIPMENT: The police motorcycle shall be equipped with all standard equipment as specified by the manufacturer for this model, and shall comply with all EPA Emission Standards and all Motor Vehicle Safety Standards as established by the U.S. Department of Transportation regarding the manufacturer of motor vehicles.

Further, page 32 of Solicitation Amendment #1, Part IV, Information for Offerors to Submit – General, includes a “Note” that reads as follows:

NOTE: If an equal is bid, the offeror must provide sufficient product literature to confirm the equal claim. The product literature is to have been published for or produced by the manufacturer.

Finally, page 53 of Solicitation Amendment #1, Part VIII, Bidding Schedule, appears as follows:

Item	Quantity	Unit of Measure	Unit Price	Extended Price
2	10	each		
Product Catg.: 07156 - Motorcycles				
Item Description: MOTORCYCLE - LAW ENFORCEMENT TOURING				
Tendering Text: LAW ENFORCEMENT MOTORCYCLE TOURING (BMW R1200RTP, HONDA ST1300PA, KAWASAKI CONOURS 14P, YAMAHA FJR 1300P, OR EQUAL)				
Question	Mandatory / Optional	Multiple Responses Accepted?	Response	
ARE YOU ENTERING A BID FOR THIS LINE ITEM? IF SO, THEN ALL REMAINING ATTRIBUTE QUESTIONS MUST BE ANSWERED. FAILURE TO RESPOND TO ANY ATTRIBUTE QUESTION MAY RESULT IN YOUR BID BEING DETERMINED NON-RESPONSIVE.	Mandatory	No		
QUESTIONNAIRE - MAKE	Optional	No		
QUESTIONNAIRE - MODEL	Optional	No		

QUESTIONNAIRE - YEAR	Optional	No	
QUESTIONNAIRE - STANDARD FACTORY COLORS EXTERIOR	Optional	No	
QUESTIONNAIRE - DAYS ARO	Optional	No	

The State specified, among others, a YAMAHA FJR 1300P, OR EQUAL.

Meanwhile, on page 3 of 5 its bid response (attached Output Preview of its online offer), throughout pages 6, 7, 9, 10 and 14 (product literature), and on its hard copy page 13 of 14 (state solicitation), Extreme Sports Yamaha Polaris identifies its offer for Item #2 to be a Yamaha FJR 1300A, a civilian, not a police motorcycle.

Although the State issued its Intent to Award to Extreme Sports Yamaha for the FJR 1300A, this posting was in error.

The State therefore asks that you grant the protest from Enforcement Motors, Inc, thereby canceling the Intent to Award to Extreme Sports Yamaha Polaris. In doing so, the State also asks that you remand the solicitation to the State Procurement Office for further evaluation.

Sincerely



John R. Stevens, CPPB, CPM
State Procurement Officer

- Cc: S. Adams – B&CB – State Procurement Office
R. Davis – Extreme Sports Yamaha Polaris
C. Hartin – Enforcement Motors, Inc.
D. Robertson – B&CB – Office of General Counsel