



June 5, 2017

Sheri Hartz

City Clerk

City of Emeryville

1333 Park Avenue

Emeryville, CA 94609

RE: City of Emeryville Request for Proposals

Citywide Landscape Maintenance FY 2017/2018 EPW 17 – 108

Hello Sheri,

New Image Landscape is submitting this letter in protest of the Proposal Results issued on 6/1/2017 for the City of Emeryville Citywide Landscape Maintenance FY 2017/2018 EPW 17-108 bid.

The Proposal Results for New Image Landscape Company read that “the Proposal failed to provide adequate information regarding scope of service, number of employees assigned to Emeryville from the local office and the required documentation of licensing and certifications for assigned staff.” New Image believes that statement to be untrue as we did provide all the required information as per the RFP. Below is the literature from the RFP, as well as the corresponding page number from our proposal in which this requirements were fulfilled.

Scope of Service:

- **RFP Literature:** 5(A)(1): Based upon the City’s outline of services set forth in RFP Exhibit A, the Proposer shall prepare a complete description of the scope of services (to be labeled: Proposal Exhibit “A”) which the Proposer intend to perform in order to achieve the project objectives.

- **NILC Response:** Referred to on page 4 of the Proposal Documents titled “Exhibit A”, and provided on pgs. 10 – 49 of the attachment

Number of employees assigned to Emeryville from the local office:

- **RFP Literature:** 5(C)(1): (4) number of employees in the office location which is intended to provide the services described in Proposal Exhibit “A”

Note: This only asks for the *number of employees in the local office*.

- **NILC Response:** Provided on pg. 6 of the Proposal Document, titled “Proposal Exhibit “C” Statement of Qualifications”

Required documentation of licensing and certifications for assigned staff:

- **RFP Literature:** 5(C)(3): A list of the Proposer’s principals, agents and subcontractors which the Proposer intends to assign to this Project. This list shall include a summary of

NEW IMAGE LANDSCAPE COMPANY

Phone (510) 226-9191 • Fax (510) 226-1298 • License #719106 • 3250 Darby Common • Fremont, CA 94539

the qualifications ... of each individual. **NOTE: The list need not contain information about each staff employee.**

- **NILC Response:** Provided on pgs. 7 & 8 of the Proposal Document under Sub-Section 5(C) (3).
- We do not refer to any of our employees or staff members as principals, agents or subcontractors and therefore will not assign any to this account. The City of Emeryville also did not provide a clear definition of "principals" or "subcontractors", which could have been included in a Glossary section.
- The RFP does not ask for copies of such certifications to be included, only a list is required. Which we have provided in our proposal.

We have included a copy of the proposal we submitted on May 4, 2017 with the requirements highlighted in yellow. We have also attached pgs. 3 & 4 of the RFP: Instructions for Submitting Proposals. The requirements set forth in these instructions, pertaining to the Proposal Results are also highlighted in yellow.

After a phone conversation with Andrew Clough on Friday, June 2, 2017 it was confirmed that New Image is responsive in their bid submittal and included all requirements as set forth in the RFP. This invalidates the Proposal Results that were issued on 6/1/2017. New Image Landscape Company was the lowest bidder for the City of Emeryville Request for Proposals – Citywide Landscape Maintenance FY 2017/2018 EPW 17 – 108 and we have provided adequate information that New Image meets all requirements as set forth in the RFP. With this said, we would like to formally protest this bid and recommend that New Image Landscape is the awarded contractor.

Please contact us with any further information regarding the formal protest process. We look forward to hearing from you.

Sincerely,

New Image Landscape Company



Russell Takehara
General Manager

Enclosures

cc: Andrew Clough