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September 27, 2019

Via email & U.S. Mail

David A. Tomes
Recip Engine Services
3027 W. 2nd Street
Odessa, TX 79763
davidt@recipenginesvcs.com

SUBJECT: Protest Response - S-2019-1074BD Request for Proposal for Central Generation Engine Overhauls at Plants 1 & 2 (MP-275 and MP-276)

The Orange County Sanitation District ("District") received an official protest from Recip Engine Services to Specification S-2019-1074BD Central Generation Engine Overhauls at Plants 1 & 2 (MP-275 and MP-276) on September 24, 2019. The District has reviewed the protest document submitted by Recip Engine Services and has rejected the protest for the following reason:

- Protest Statement was submitted after the Award Protest deadline.

Per Attachment "D" of the RFP, Protest Procedures, Section B.2,

"Any Interested Party, who has reason to believe that a free and open competition has not taken place in the Proposal submittal, evaluation of the Proposals, and award recommendation, by submitting an Award Protest Statement to OCSD identified in the RFP, via electronic mail (e-mail) at Purchasing@OCSD.com no later than 4:00 p.m. (Pacific Time zone) on the seventh (7th) day after OCSD issues the Award Recommendation or some similar announcement."

OCSD issued its Notice of Intent to Award on Monday morning, September 16, 2019. Therefore, per OCSD's Protest Procedures, all award protest statements must be submitted **no later** than 4:00PM on the 7th day, September 23, 2019. The protest statement by Recip Engine Services was submitted to OCSD on Tuesday, September 24, 2019 at 12:30PM. As a result, the District rejects the protest statement and shall proceed with the intent to award this contract to UPS Midstream Services for the subject contract.

All affected parties shall be notified in writing of the District's determination of the protest.

Should Recip Engine Services wish to appeal this notice of determination of its award protest, Recip Engine Services may submit a written appeal to Director of

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Administrative Services and the Director of Operations & Maintenance in accordance with the procedures listed in Exhibit "D" Section B4. Recip Engine Services must also immediately send copies of its appeal to all Affected Parties. The appeal must be submitted via email to Purchasing@OCSD.com no later than 4:00 p.m. (Pacific Time zone) within seven (7) days after the date of this notice.

Ruth Zintzun
Contracts, Purchasing & Materials Management Manager

C: UPS Midstream Services Inc.