



**ALAMEDA COUNTY**  
**AUDITOR-CONTROLLER AGENCY**  
**STEVE MANNING**  
AUDITOR-CONTROLLER/CLERK-RECORDER

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July 26, 2016

Neil H. O'Donnell  
Lauren B. Kramer  
Attorneys for Corizon Health, Inc.  
Rogers Joseph O'Donnell, P.C.  
The Robert Dollar Building  
311 California Street, 10<sup>th</sup> Floor  
San Francisco, CA 94104

**SUBJECT: REQUEST FOR PROPOSAL/QUOTATION (RFP/Q) NUMBER 901426 FOR  
COMPREHENSIVE MEDICAL CARE – ALAMEDA COUNTY JAILS**

Dear Mr. O'Donnell and Ms. Kramer,

The Auditor-Controller Office of Contract Compliance and Reporting (OCCR) has completed its review of your appeal, dated May 27, 2016, regarding the General Services Agency (GSA) Office of Acquisition Policy (OAP) denial of the protest submitted on behalf of Corizon Health Inc. (Corizon) to the Intent to Award Request for Proposal No. 901426 for Comprehensive Medical Care – Alameda County Jails to California Forensic Medical Group Inc. (CFMG).

In reviewing bid protest appeals, the OCCR will not re-judge the proposal(s). The appeal to the OCCR is limited to review of the procurement process to determine if the contracting department materially erred in following the RFP/Q or, where appropriate, the County Charter, County Ordinances or other applicable federal, state or local laws and regulations.

Your appeal asserts that deficiencies in the procurement process and award determination existed that "...would not result in award to the responsible, responsive offeror that should have been the most highly rated."

OCCR's review found that ambiguities in the RFP process and deviations from standard County practices raise concerns about the results of the RFP process. For example, an addendum answer created an acknowledged ambiguity in preparation of cost proposals that may have affected other bidders even if it did not harm Corizon, which received the highest possible score in this category. It is also noted that the RFP was issued without specifying a local preference and, accordingly, no local bid preference was applied to any sealed bid response during the evaluation process. Administrative Code Section 4.12.150 does require a 5% preference to local vendors on all sealed

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bids: "A five percent preference shall be granted to Alameda County products or Alameda County vendors on all sealed bids on contracts, except with respect to those contracts which state law requires be granted to the lowest responsible bidder." As such, the omission of the local preference is a violation of the Administrative Code.

While a 5% local bid preference would not have changed the ranking of Corizon's proposal, and did not negatively impact the evaluation of their submittal, had the required local preference been applied to all eligible proposals it may have impacted the overall rankings of other bidders.

Therefore, for the reasons stated above, OCCR finds that no award should be made as a result of this competitive process, and that the County should exercise its authority under the RFP to reject all bids.

Sincerely,



Steve M. Manning  
Auditor-Controller

SMM/smw

- c: Willy Hopkins, Alameda County, General Services Agency, Director,
- Gregory J. Ahern, Alameda County Sherriff/Coroner
- Tammy Kastre, M.D., President, California CCS, P.C.
- Kip Hallman, Chief Financial Officer, California Forensic Medical Group, Inc.
- Michael Miller, Vice President, Client Partnerships, Corizon Health, Inc.