



STATE OF CONNECTICUT  
OFFICE OF GOVERNMENTAL ACCOUNTABILITY  
STATE CONTRACTING STANDARDS BOARD

Final & Approved Minutes  
State Contracting Standards Board  
4e-36 Contested Solicitations and Awards Subcommittee Meeting  
9:00 A.M. Wednesday, September 20, 2017  
Fifth Floor Office of the Executive Director  
18-20 Trinity Street  
Hartford, Connecticut

Members Present:

Robert Rinker, Chair  
Bruce Buff  
Stuart Mahler  
David Guay, Ex-Officio, Executive Director

1. Call to order

Meeting was called to order at 9:01 A.M. by Robert Rinker, Subcommittee Chair.

2. Approve the minutes of the September 15, 2017 Meeting

Motion made by Stuart Mahler and seconded by Bruce Buff to approve the minutes of the September 20, 2017 meeting of the State Contracting Standards Board 4e-36 Contested Solicitations and Awards Subcommittee. Subcommittee members discussed possible additions and one deletion to the draft minutes. All voted in favor.

3. RDS Services, LLC Contest of Award

RDS Services, LLC and Benistar, the shared services organization and bidder contests the award of Connecticut Teachers Retirement Board (TRB), Proposal TRB#2017-003 to Part D Advisors.

Chair Rinker initiated discussion by reviewing the material received from the Teachers Retirement Board with the Subcommittee members.

In order to review the material provided by RDS Services LLC at approximately 6:00 A.M. today, Chair Rinker entertained a motion to recess in order to review the material.

Motion made by Stuart Mahler and seconded by Bruce Buff to recess. The Subcommittee recessed at 9:10 A.M.

Chair Rinker called the Subcommittee to order at 9:30 A.M.

Chair Rinker initiated discussion by outlining the allegations made by RDS Services LLC and provided his analysis.

- The contest filed by RDS Services LLC (RDS) did not show a violation of the procedural elements of the solicitation or award process, or claims of an unauthorized or unwarranted, noncompetitive selection process.
- The claim by RDS that the TRB failed to provide an opportunity for a last best offer is invalid as the TRB issued a Request for Proposal (RFP) which does not have a requirement for providing an opportunity for last best offers from proposers.
- RDS Services may not claim preference under C.G.S. Sec. 4e-48. The TRB issued an RFP and RDS was a proposer to the RFP. C.G.S. Sec. 4e-48 provisions are for bidders only.
- The question of whether the TRB had appropriately received a waiver on the number of proposers was answered by the material provided to the Subcommittee by the TRB showing the request for and receipt of the waiver from the Office of Policy and Management.
- On the claim of unauthorized, unwarranted noncompetitive solicitation process, Mr. Rinker found no unauthorized communications to support the claim.

Bruce Buff and Stuart Mahler concurred with Chair Robert Rinker's analysis of the contest. The Subcommittee directed Executive Director Guay to draft a decision based upon the agreed upon review and analysis and submit to the member's for review prior to issue.

#### 4. [Executive Session pursuant to CGS 1-200](#)

No executive session was held.

#### 5. [Adjournment](#)

Motion made by Bruce Buff and seconded by Stuart Mahler to adjourn at 9:52 A.M. All voted in favor.