

AWARD RECOMMENDATION

Notice of Intent to Award Number: NIA1 240000000146

The Department of Technology, Management, & Budget’s Procurement office has completed the evaluation of RFS 230000002641 – Legal Mail Authentication for MDOC Correctional Facilities and has recommended an award to TextBehind Inc. in the total amount of \$1,284,206.40, pending State Administrative Board approval, if applicable. More information on the State Administrative Board can be found at: [State Administrative Board](#).

Bidders who were not recommended for the award are encouraged to schedule a debriefing session with the Solicitation Manager. The debriefing session will provide the bidder with the State’s rationale on why the bidder was not recommended for the award. The Solicitation Manager may be contacted as follows:

Tony Edgecomb, Solicitation Manager.
 edgecombt@michigan.gov
 517-449-6419

Background Information:

This Request for Solution (RFS) was to solicit responses for selection of a Contractor to provide Legal Mail Authentication Software and/or Services. The term of this contract is three (3) base years, with up to five (5) renewal options.

Bidders:

The RFS was posted on SIGMA VSS on June 30, 2023 for 40 days. The following bidders submitted proposals by the published due date of August 9, 2023.

Bidder	Address, City, State, Zip Code	SDVOB*	GDBE**
Pigeonly Inc.	2252 East Pama Lane Las Vegas, NV, 89119	No	No
Pitney Bowes Inc.	3001 Summer Street Stamford, CT 06926	No	No
TextBehind Inc.	14315 Jarrettsville Pike Phoenix, MD 21131	No	No

*SDVOB: Service-Disabled Veteran Owned Business

**GDBE: Geographically Disadvantaged Business Enterprise

EVALUATION SYNOPSIS

I. Evaluation Process

A Responsible Vendor is a vendor that demonstrates it has the ability to successfully perform the duties identified by the solicitation. A Responsive proposal is one that is submitted in accordance with the solicitation instructions and meets all mandatory requirements identified in the solicitation.

Proposal Instructions: Evaluation Process

The State will evaluate each proposal based on the following factors:

	Technical Evaluation Criteria	Weight
1.	Vendor Questions Worksheet	10
2.	Attachment 1 Resume Templates	10
3.	Schedule A: Statement of Work	50
4.	Schedule A table 1 Business Specifications Worksheet	30
	Total	100

Proposals receiving 80 or more technical evaluation points will have pricing evaluated and considered for award.

The full evaluation process is stated in the RFS Proposal Instructions.

II. Evaluation Method

Responses to this solicitation were reviewed by a Joint Evaluation Committee, which consisted of the following individuals:

Voting	Advisory
Arnold Vande Mark, Contract Administrator MDOC, PMCD	Andrew Fotenakes, Contract Manager MDOC, PMCD
Norma Killough, Administrative Assistant MDOC, CFA	Shawn Brewer, Assistant Deputy Director MDOC, CFA
Jared Warner, Senior Policy Executive MDOC, OLA	Aaron Supianoski, Contract Monitor MDOC, PMCD
Mary Knapp, Business Analyst DTMB, AS	David Enslin, Senior Executive Business Relationship Administrator, DTMB, AS
Tony Edgecomb, Category Specialist DTMB, CPS	

III. Evaluation Results

A. Pigeonly Inc.

The Evaluation Team determined that Pigeonly Inc., based on a score of 99, did meet the requirements of this RFS. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

1. **Vendor Questions Worksheet** **10/10**
 The Evaluation Team determined that overall, the responses were mostly satisfactory:

2. **Attachment 1, Resume Templates** **09/10**
 The Evaluation Team determined that overall, the responses were mostly satisfactory, but the following deficiency was noted:
 - a. Contractor Project Manager, the bidder did not meet the education requirements.

3. **Schedule A: Statement of Work** **50/50**
 The Evaluation Team determined that the responses were satisfactory for this section.

4. **Schedule A table 1 Business Specifications Worksheet** **30/30**
 The Evaluation Team determined that the responses were satisfactory for this section.

Total Score: 99/100

B. Pitney Bowes Inc.

The Evaluation Team determined that Pitney Bowes Inc., based on a score of 42, did not meet the requirements of this RFS. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

1. **Vendor Questions Worksheet** **00/10**
 The Evaluation Team determined that overall, the responses were unsatisfactory. The following deficiencies were noted:
 - a. Section 5 Experience 1, the bidder did not provide a contract value.
 - b. Section 6 Standard Contract Terms, the bidder takes exception to all terms and conditions and provides no written exceptions.
 - c. Section 7 Insurance Requirements, the bidder amended the Insurance Requirements.

2. **Attachment 1, Resume Templates** **00/10**
 The Evaluation Team determined that the responses were unsatisfactory for this section. The following deficiencies were noted:
 - a. Contractor Project Manager, the bidder removed the provided resume template and was found non-responsive regarding the information requested therein.

- b. Contractor Security Officer, the bidder removed the provided resume template and was found non-responsive regarding the information requested therein.

3. Schedule A: Statement of Work

26/50

The Evaluation Team determined that multiple responses were unsatisfactory for this section. The following deficiencies were noted:

- a. Section 8 Data Retention and Removal, the bidder states that all data remains stored in Pitney Bowes hosted environment during the life of the contract.
- b. Section 13 Hardware, the bidder does not meet the State requirement for bidder to own and maintain hardware.
- c. Section 17 Additional Products and Services, the bidder Solution does not meet the end to end requirements that the State stated in the RFS.
- d. Section 20 Contractor Personnel Requirements, the bidder states technical and engineering support may be performed by a supplier outside of the United States. The supplier is not named, nor listed under subcontractors.
- e. Section 24 Project Management, the bidder will not agree to the State's milestones/deliverables for implementation but does not provide an alternative or explain why the bidder cannot adhere to the State's schedule.
- f. Section 26 MDOC Security Requirements, the bidder takes exception but does not specify why or provide redlines.
- g. Section 27 Prison Rape Elimination Act of 2003 (PREA), 42 U.S.C. § 15601, the bidder takes exception but does not specify why or provide redlines.
- h. Section 28 Vendor Rules and Regulations, the bidder takes exception but does not specify why or provide redlines.
- i. Section 29 Reasonable Suspicion, the bidder takes exception but does not specify why or provide redlines.
- j. Section 30 Overfamiliarity/Unauthorized Contact, the bidder takes exception but does not specify why or provide redlines.
- k. Section 31 Procurement, Monitoring, and Compliance Division, the bidder takes exception but does not specify why or provide redlines.

4. Schedule A table 1 Business Specifications Worksheet

16/30

The Evaluation Team determined that multiple responses were unsatisfactory for this section. The following deficiencies were noted:

- a. Specification 2, the bidder did not provide an example of the step by step process.

- b. Specification 2B, the bidder Solution does not provide a bidder end to end Solution as communicated by the State in the RFS.
- c. Specification 2E, the bidder Solution does not provide a bidder end to end Solution as communicated by the State in the RFS.
- d. Specification 14, the bidder takes exception to Schedule D – Attachment 1 – MDOC Service Level Agreement and does not specify any redlines or alternatives.

Total Score: 42/100

C. TextBehind Inc.

The Evaluation Team determined that TextBehind Inc., based on a score of 94, did meet the requirements of this RFS. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

1. Vendor Questions Worksheet 10/10

The Evaluation Team determined that overall, the responses were mostly satisfactory:

2. Attachment 1, Resume Templates 10/10

The Evaluation Team determined that overall, the responses were mostly satisfactory.

3. Schedule A: Statement of Work 49/50

The Evaluation Team determined that overall, the responses were mostly satisfactory, but the following deficiency was noted:

- a. Section 26 MDOC Security Requirements, the bidder agreed without exception, but was non-responsive in explaining additional security measures.

4. Schedule A table 1 Business Specifications Worksheet 25/30

The Evaluation Team determined that overall, the responses were mostly satisfactory, but the following deficiency was noted:

- a. Specification 13A, the bidder Solution requires the use of mobile devices and does not currently offer barcode scanner compatibility.

Total Score: 94/100

IV. Technical Evaluation Summary

Bidder	Vendor Questions Worksheet	Vendor Questions Attachment 1, Resume Templates	Schedule A - Statement of Work	Schedule A - Table 1 Business Specifications	Total
Pigeonly Inc.	10	9	50	30	99
Pitney Bowes Inc.	0	0	26	16	42
TextBehind Inc.	10	10	49	25	94

V. Pricing Summary

Pricing was evaluated for the bidders who passed technical. The following is a summary of their price proposals. The details can be found following the summary:

Bidder	Initial Bid Pricing (Annually)	Negotiated Pricing (Annually)	Term Pricing (3 years)
Pigeonly Inc.	\$653,520.00*	\$653,520.00*	\$1,960,560.00*
TextBehind Inc.	\$475,632.00**	\$428,068.80	\$1,284,206.40

*Package 3 would be required to meet MDOC's authorization needs.

**The initial pricing also included \$25 and \$15 fees per authorized and reauthorized user, respectively. This was later waived in negotiations.

Pigeonly Inc.

Security Features	Package 1	Package 2	Package 3
Cost per inmate per year	\$ 7.00	\$ 13.00	\$ 20.00
Setup and Implemetnation	x	x	x
Training and Tech Support	x	x	x
Customer Support for application escallations	x	x	x
Two-Factor Authentication	x	x	x
Visual Inspection of Government Issued ID		x	x
Biometric ID Verification		x	x
Driver's License Validation with DMV		x	x
Attorney Bar License Verification			x
Sender Address Verification			x
Verification through Trusted Organization Affiliation			x
Inmate Count	32,676	32,676	32,676
Annual Total	\$ 228,732.00	\$ 424,788.00	\$ 653,520.00

TextBehind Inc.

Year	Type	Discount	Total Annual Fee
1	Base	0.00%	\$ 428,068.80
2	Base	0.00%	\$ 428,068.80
3	Base	0.00%	\$ 428,068.80
4	Option	2.00%	\$ 419,507.42
5	Option	2.00%	\$ 419,507.42
6	Option	2.00%	\$ 419,507.42
7	Option	2.00%	\$ 419,507.42
8	Option	2.00%	\$ 419,507.42

VI. Negotiations

One of two bidders offered price reductions during negotiations. TextBehind Inc. offered an immediate discount on the annual license, an additional 2% discount for any executed Option year, and waived the authorization and reauthorization fees. Additionally, TextBehind Inc. was willing to improve their commitment to develop barcode compatibility into their Solution down from 150 days to **60 days from award recommendation.**

VII. Award Recommendation

Award recommendation is made to the responsive and responsible Bidder who offers the best value to the State of Michigan. Best value is based on the proposal meeting the minimum point threshold and offering the best combination of the factors stated in the *Proposal Instructions Evaluation Process* section, and price.

TextBehind Inc. provided the best value to the State. Best value factors for Award Recommendation include:

- a. A Solution that meets the State's requirements but is low impact to senders, which should help with adoption.
- b. Agreement to Standard Contract Terms with no redlines.
- c. The bidder is a strategic partner with several other State contractors.

As part of the best value determination, overall economic impact to the State of Michigan was considered and is not a determinative factor in making this award.

Award Recommendation is made to TextBehind Inc. in the total amount of \$1,284,206.40.