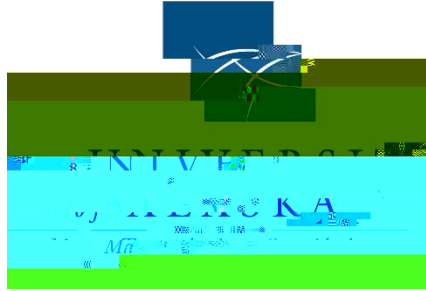


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DATE: August 19, 2022

To: All Interested Parties

RE: Protest Decision Request for Proposals for Sale or Lease of Tract-1, U-MED Professional Park Subdivision, Parcel No. AN.AC.4017 (protest of solicitation)

This decision is issued in response to the protest of the University's terms and conditions contained in Request for Proposals for Sale or Lease of Tract-1, U-MED Professional Park Subdivision, Parcel No. AN.AC.4017 (protest of solicitation).

The Protester filed its protest by email delivery and mail delivery to UA Land Management Property Officer Laura Carmack on July 19, 2022. Pursuant to the terms in the solicitation the protest was filed timely.

As a potential offeror the Protester is deemed to be an interested party pursuant to Alaska Statute (AS 36.30.560).

The protest meets the requirements as defined in Alaska Statute (AS) 36.30.560 and UA Procurement Manual Section 10.3: it lists the protesting entity's name, address and telephone number; contains the signature of the protester's representatives; identifies the contracting agency and the solicitation; contains a detailed statement of the legal and factual grounds for the protest, including copies of relevant documents; states the form of relief request; and was received timely.

Therefore, the protest is accepted.

Background

On June 24, 2022, UA Land Management issued a Request for Proposals to Lease or Purchase Tract 1, U-MED Professional Park Subdivision. The submittal deadline was July 29, 2022, 5:00 p.m. local time. A pre-proposal conference was held on June 30 with a deadline for questions of July 8. Two (2) firms submitted questions. UA Land Management provided a consolidated response to interested parties on July 15. Note that this solicitation is issued as a request for proposals rather than an invitation for bids, meaning that evaluation factors other than price are to be considered. Price, whether lease or sale, is provided a weight of 55 out of a total of 100. Also note that a solicitation method of request for proposals is considered to be a negotiated sale.

Discussion of Protest Issues

The Protester raised two issues both related to questions asked and UA Land Management's consolidated response.

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However, since the solicitation is being cancelled and reissued, and the new solicitation will have a response period of no less than (45) days, there will be more than adequate time for all interested parties to prepare an offer. Therefore, the issue is rendered moot.

An appeal of this protest decision may be filed with the Superior Court of the State of Alaska. An appeal shall be filed within 10 days after the decision is received by an interested party. The protestor shall also file a copy of the appeal with the Contracting Officer (UA Land Management). An appeal must contain the information required under AS 36.30.560 (see above). In addition, the appeal must include (1) a copy of the decision (this document) and (2) identification of the factual or legal errors in the decision that form the basis for the appeal (i.e., you must demonstrate that I have made an error in fact or show with specificity that I have violated the law.)

Sincerely,

University of Alaska



John A. Hebard, C.P.M.
UA Chief Procurement Officer

cc: General Counsel
File