



Florida DOH Indian River
1800 27th Street
Vero Beach, FL 32960

RE: Appeal to IMS Protest Denial Bid 2021005 – Alternate Care Site Cots 10.20.2020

Dear Mrs. Hyde,

Thank you for reviewing my protest, and the amended protest. My intentions with this appeal are to ensure the Indian River County Purchasing Division (IRCPD) and the Board County Commission (BCC) are not misled, and that IMS is not distressed any further during this process. After performing additional research, IMS has identified the impossibility of ProPac or any other Bidder meeting the specifications of this Request. This conclusion is based on the conflicting information presented by the other Bidders as well as the unique product designs of IMS. IMS is appealing to BCC's denial decision with new evidence and IMS would appreciate attention to this matter.

IMS Appeal:

Per the first page / last sentence of the denial letter presented by the Board County Commissions, in regards to ProPacs Carts: "Their submitted bid indicates a capacity of 10 cots."

Per the specification pages, the Request for Bid states:

- Dimensions: **not to exceed 38.5 X42.5 X 73.25"** • Must fit 8-10 cots per rack

A picture ProPac's 10 Cot Cart side by side with IMS AT8 Cot Cart is displayed in **Exhibit A**. ProPac's 10 Cot Cart illustrated in the picture yields the dimensions of 79.5 x 44.5 x 38.25", which has been verified by Pasco County DOH (Timothy Excline: 727.619.0297) and is well below the standards of this request for bid, and therefore not compliant with the request, and it will not work for Indian River County's Operation when mobilizing these systems. IMS' AT8 Cot Cart matches the specifications exactly, with the yielded dimensions of 73.25 x 42.5 x 38.5" as per the request for bid.

BCC states in their denial letter that the following points I brought forth were found inaccurate: The following will demonstrate the accuracy of my statements, based on factual evidence presented here as **answers**.

Per BCC denial letter, "Only Prism and Pineland Group submitted evidence of compliance with the antimicrobial mattress covering with their bid, and ProPac has confirmed their mattress covering is antimicrobial. No evidence to the contrary was submitted with your protest.

Answer: Please find the attached properties (evidence) report (**Exhibit B**) which was provided by Sure-Chek, this material deems IMS' mattress antimicrobial, per the request of the bid. Notice under Biological Properties: Antimicrobial to protect the fabric: Test Method: ISO 22196, Average Test Results: Pass, Description: Resistant to organisms that degrade, stain, or impart odors." A Properties Report should be available from ProPac if they are in fact accurate in their claim of providing "antimicrobial" fabric. IMS is providing an exact match; If ProPac cannot provide the Biological Properties specification it is clear those statements are inaccurate and they should be challenged by the BCC to provide proof.

Per BCC denial letter, "Your protest complains "ProPac does not offer a 5 Position Adjustable Head Rest," however, the completed Cot Information table on the bid form submitted by ProPac states "5" as the number of head rest positions.

Answer: ProPac states 4 Position Head Elevator on their website (**Exhibit C**). This false representation via a signed Affidavit renders ProPac's proposal fraudulent and not compliant with the request for bid. <https://propacusa.com/product/oversize-special-needs-cot-kit/>

Per BCC denial letter, "Your amended protest adds the complaint that the "ProPac Carts hold 5 cots... does not offer heavy duty casters...does not have a Vinyl Dust Cover." ProPac has confirmed their proposed cart has heavy duty casters and comes with vinyl dust cover."

Answer: I am providing a side by side comparison (**Exhibit D**) of IMS and ProPacs claimed Heavy Duty Casters. Merriam-Webster Dictionary defines heavy-duty as: able or designed to withstand unusual strain. A 2" caster wheel cannot withstand much of anything. <https://www.merriam-webster.com/dictionary/heavy-duty>

Per the Technical Specification of the Request for Bid:

Scope includes; "Indian River County is requesting bids to purchase new transitional cots for temporary emergency use **meeting or exceeding** the following minimum requirements."

The Dimensions requested in the request for bid specify 80 x 32 x 18" which is an exact match to that of IMS/Westcot. It is prudent to believe these dimensions were pulled from the current inventory of Westcots that are being retired after more than ten years of service, and that these dimensions have been verified by Indian River County staff to be a necessity of care for displaced persons residing in Indian River County's Alternate Care Site. **Exhibit E** demonstrates the dimensions of ProPac's cot (78.5 x 27.5 x 17.5"), which has been verified by Pasco County DOH (Timothy Excline: 727.619.0297) and is well below the standards of this request for bid, and therefore not compliant with the request.

Per BCC denial letter, "The bid form states "In accordance with all terms, conditions, specifications and requirements, the Bidder offers the following:" above the line item pricing. By receiving a signed bid form with this statement, and no exceptions to the specifications of the bid noted on the signed and submitted Affidavit of Compliance form, the County expects the submitted bids to be in full compliance. Therefore, we do not find it necessary to demand proof

of compliance with each specification with the bid, as it is implied with the signed and submitted bid.”

Answer: It is clear after investigating and presenting the facts within this appeal and those presented by the BCC and IRCPCD that the signing of the Affidavit by ProPac and Biscayne (ProPac Affiliate) was a fraudulent act. The illegality of these offers is confirmed by the Bid Tabulation (**Exhibit F**). Both ProPac and Biscayne are stated they offer no exceptions to the Technical Specifications of this request which are a direct match for Westcot’s battle tested and confirmed products, yet they are obviously missing the mark tremendously.

For my final point I would like to bring attention to Florida Statutes: Title VII Chapter 92 Subsection 3:

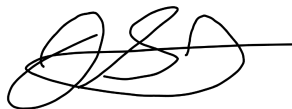
(3) A person who knowingly makes a false declaration under subsection (2) is guilty of the crime of perjury by false written declaration, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084

Link: http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0000-0099/0092/Sections/0092.525.html

In conclusion, the illegality of the perpetration must yield a withdraw on the part of ProPac and Biscayne. I ask BBC to move forward with the withdraw of ProPac and Biscayne’s illegal offers and thus find IMS the lowest price offer, and the only vendor matching the Technical Specifications of this request for bid with certainty. IMS is dedicated to quality products and service, we are shocked and insulted that these companies would claim to be Westcot caliber products. As a Small Business Owner, Husband, and Father, I will not yield to such malicious acts. Should this appeal be denied, IMS will follow up to ensure the awarded company delivers the specified products on time and that all specification where met as described.

Thank you all for your time and please feel free to contact me should you have any questions or concerns.

Exhibits A-F are attached for convenience.



J. Shaun Taylor

Vice President of Business Development

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dba: Integrity Medical Solutions, Inc.

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<http://ims4beds.com>

Exhibit A



IMS Westcot AT8 = 38.5 x 42.5 x 73.25"



ProPac 10 Cot Cart = 79.5 x 44.5 x 38.25

Exhibit B



January 2018

Linen®

TYPICAL PROPERTIES REPORT

PROPERTY			TEST METHOD	AVERAGE TEST RESULTS		DESCRIPTION
PHYSICAL PROPERTIES				English	Metric	
	English	Metric				
Weight	oz. per sq. yd.	g/m ²	ASTM D3776	9.5 oz. +/- 10 %	322 g +/- 10%	Lightweight, high strength
Flame Resistance			ASTM D6413 NFPA 701 TM1	Pass		Inherent flame resistance to minimize fire hazards.
Breaking Strength	lbs./in.	N/25 mm	ASTM D5034	W 125 F 100	W 556 F 445	Construction designed for ticking fabrics
Tear Strength	lbs.	N	ASTM D2261	W 25 F 30	W 111 F 133	Excellent tear strength, punctures will not produce running rips.
Hyrostatic Burst	PSI	kPa	ASTM D751/A	200	1379	Constructed with non-penetrable surface. Liquid body waste and hospital medicaments cannot penetrate.
Adhesion (peel)	lbs./2 inches	N/50 mm	ASTM 751 (Free Peel)	6 minimum	27 minimum	Resistant to delamination from flexing action of hospital bed.
BIOLOGICAL PROPERTIES						
Antimicrobial to protect the fabric			ISO 22196	Pass		Resistant to organisms that degrade, stain, or impart odors.
ELECTRICAL PROPERTIES						
Surface Resistivity, OHMS/SQ			AATCC 76	<1 x10 ¹¹		Permanent, not a surface treatment.

FABRICATION: Capable of being fabricated by stitching, and/or cementing - can be patched, seamed and repaired.

MAINTENANCE: Only necessary to wipe down with mild soap suds, rinse with warm water, when soiled. Disinfection, if required, follow manufacturers' recommended instructions for disinfectant used.

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Sure-Chek Linen® is a registered trademark of Herculite Products, Inc., Emigsville, PA

Exhibit C

https://propacusa.com/product/oversize-special-needs-cot-kit/



Description

EMERGENCY
PREPAREDNESS

SHELTER
SUPPLIES

EMERGENCY
TRAILERS

PUBLIC HEALTH /
HOSPITAL / DPS

CERT/
MRC

Know us before you need us.®

Description

Oversize Model Kit: Reduce Workload – Improve Logistics

Here's an Efficient Storage Solution for Oversize Special Needs Cots. These ProPac heavy duty cots will support patients up to 450 lb. yet are surprisingly lightweight, thanks to high grade aluminum tubing.

Mobilize with ease: The ProPac oversize special needs cot kit features a rolling storage cart that is custom designed to fit efficiently in shelters or responder trailers. ProPac has the only rack of it's kind, with a powder coated finish—harder than conventional paint—for added durability!

Cot Features

- 1" Heavy duty aluminum tubing with durable powder coated finish
- Capable of Trendelenburg (2 positions)
- 4-Position elevation for head and feet
- Reinforced nylon fitting safety strap
- Breathable, washable mesh matting
- 2" Thick foam mattress with waterproof covering



Exhibit D



IMS Heavy Duty Caster 7.5"



ProPac Heavy Duty Caster 1.5"

Exhibit E



ProPac Cot Width (27.5") / Verified by Pasco DOH



ProPac Cot Length (78.5") / Verified by Pasco DOH

Exhibit F

Bid No.: 2021005

Bid Title: Alternate Care Site Cots

Witness: Diane Lystlund

Witness: Jennifer Hyde

Bid Opening Date: October 06, 2020

Time: 2:00 pm

Bidders Name	Addendum 1	Signed Bid Form	Drug-Free	Exceptions	Disclosure	Scrutinized	Lobbying	Total Bid
Prism Health Services, LLC	N	Y	Y	N	Y	Y	Y	\$195,125.00
Propac, Inc.	Y	Y	Y	Y	Y	Y	Y	\$86,625.00
Integrity Medical Solutions, Inc.	N	Y	Y	N	Y	Y	Y	\$147,323.00
Biscayne Hospitality	Y	Y	Y	N	Y	Y	Y	\$87,493.00
SDVOSB Materials Technology and Supply, LLC	N	Y	Y	Y	Y	Y	Y	\$169,414.08
Pineland Group, LLC	Y	Y	Y	Y	Y	Y	Y	\$420,000.00

COMMENTS:
