

The Mississippi Development Authority (MDA) requested proposals for the purchase, installation and monitoring of smart meters for approximately One Thousand Five Hundred (1500) buildings owned by the State of Mississippi with funding to be provided through the American Recovery and Reinvestment Act.

Proposals were submitted by CEC, Utility Management Corporation and SmartSynch, Inc., and it was initially determined through an evaluation process that SmartSynch had submitted the better proposal. The Request for Proposals (RFP) provided that MDA would "...negotiate a contract/agreement with the Proposer to execute the activity."

Further evaluation calls into question the determination as to which proposal is the lowest and best proposal and which is in the best interest of the State of Mississippi and the taxpayers of this state. It now appears that the total cost of this project will exceed available funding.

Based upon the proposals that were submitted by the three above referenced companies and the subsequent negotiations with SmartSynch for the terms of a contract, MDA, as a result of ambiguities and lack of specificity as contained in the proposals, cannot determine the total cost of the three proposals or which proposal is most cost effective or which is in the best interest of the State of Mississippi. MDA has determined that no contract should be issued based on the proposals.

For those reasons, (as set out in detail in a Memo to the File), all proposals submitted with reference to RFP EN08062009 are rejected, no contract will be issued, and consideration will be given to the issuance of a revised RFP.

Due to a Protective Order secured by SmartSynch from the Chancery Court of Hinds County, First Judicial District, Civil Action G-2009-1439, MDA cannot state with more specificity the facts considered in reaching this decision.