



January 20, 2010

Mr. David W. Elam
Chief Operations Officer, BrightKey, Inc.
9050 Junction Drive
Annapolis, MD 22701-1150

RE: Supplier Disagreement Resolution Case No. SDR10SR-01
Request for Information (Prequalification) for Postal Service Headquarters Mailroom
Management Services, October 19, 2009

Dear Mr. Elam:

Your December 14, 2009, letter presented a disagreement as defined in 39 CFR Part 601 on behalf of BrightKey, Inc. (BrightKey) with respect to the referenced Request for Information (RFI) for the management of the Postal Service Headquarters mailroom. You object to the Contracting Officer's determination that based on your response to the RFI, BrightKey did not demonstrate the capabilities to perform these services and therefore was not considered prequalified to receive the Request for Proposal (RFP) and to participate in the solicitation.

I have examined the disagreement you lodged with me as well as the additional information you provided. I have also examined the Contracting Officer's RFI file. After careful consideration of all of the facts and documentation presented to me, I have concluded that your disagreement is sustained and that BrightKey be given an opportunity to submit a proposal for the above referenced solicitation.

The rationale for my decision follows:

The Contracting Officer's decision to exclude BrightKey was based on the fact that BrightKey's past performance information failed to indicate that they have handled similar mailroom management services equal to or greater than 2,500 mailroom customers as stated in RFI Section 8, Capabilities, paragraph 3. While it is true that the current mailroom management example cited by BrightKey indicated only 1,300 customers, the RFI evaluation team and the Contracting Officer failed to properly consider that BrightKey's management team included Donald Dilks, the founder and Chief Executive Officer of former DDD Company. DDD Company held and successfully managed the contract for the operation of the Postal Service Headquarters mailroom prior to the sale of the company to Pitney Bowes Government Solutions (PBGS) in 2003. At that time, the contract was transferred to PBGS, which is the current contract holder. The experience of key personnel in the performance of similar contracts may be considered when evaluating past performance. Mr. Dilks' management experience performing these services argues that BrightKey should be considered.

Additionally, RFI Section 4, Selection Process, states that prequalification will be based on a composite of all responses, **not any single item** (emphasis added). Clearly, in this case a single item (the number of mailroom customers) was used to determine that BrightKey was not qualified.

I find that BrightKey's past performance and key personnel experience should be sufficient for prequalification. Although prequalification decisions are a matter of business judgment, including BrightKey on the prequalification list seems in this case a prudent business decision, and I therefore have determined that BrightKey is qualified to submit a proposal for Solicitation No. 2A-09-A-0013; USPS HQ Mailroom. My decision solely concerns BrightKey's qualifications to submit a proposal. In no way is my decision to be interpreted as a decision to award, or to signal a preference to award the contract to BrightKey or any other offeror.

In conclusion, I find that the Contracting Officer should have found BrightKey qualified to submit a proposal. Therefore, your disagreement is sustained and the Contracting Officer is directed to accept and evaluate a proposal from BrightKey for the aforementioned RFP.

In accordance with 39 CFR 601.108(g), this is my final decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Dolder", enclosed within a large, loopy oval shape.

Pete Dolder, C.P.M.
USPS Supplier Disagreement Resolution Official
United States Postal Service
475 L'Enfant Plaza, SW, Room 4130
Washington, D.C. 20260-4130

cc: Contracting Officer