

Meyers, Robert (COE)

INQ 02-24

From: Walker, Ardyth (COE)
Sent: Thursday, May 30, 2002 2:57 PM
To: Singer, Miriam (DPM)
Cc: Meyers, Robert (COE); Sanchez, Gerald (CA)
Subject: RE: Cone of Silence & Lobbyist Registration Issues

Miriam,

Per our conversation yesterday, this is my response to the issues raised in your e-mail.

1. The contracting officer cannot call the other vendors to determine why they did not respond to the solicitation but he or she may e-mail the other vendors or fax them a letter regarding their failure to bid.

2. If staff is meeting informally with potential vendors prior to advertisement of the bid, staff is not required to ascertain if vendors are registered to lobby. The burden is on potential vendors to register prior to meeting with staff regarding upcoming solicitations. However, staff should be encouraged to inquire as to whether vendors or other parties who seek to influence decisions are registered. As we discussed yesterday, this does not include selection committee meetings where all members of a team must be registered before they can present to the committee.

I am attaching a copy of a prior Cone of Silence decision regarding market research during the time the cone is in place.



eichenbaum.ao.doc

-----Original Message-----

From: Singer, Miriam (DPM)
Sent: Tuesday, May 28, 2002 5:34 AM
To: Sanchez, Gerald (CA)
Cc: Lucas, Theodore (DPM); Walker, Ardyth (COE)
Subject: Cone of Silence & Lobbyist Registration Issues

Hi Gerald: Here are a few questions that have come up regarding Cone and Lobbyist Registration Issues:

1- A contracting officer receives only one proposal for an RFP solicitation for property insurance services. He calls the other vendors who picked up copies of the solicitation but did not submit a proposal to inquire as to why they chose not to submit. Is this call permitted under the Cone of Silence legislation?

2- A procurement agent is developing specifications for the purchase of zoo animals. Market research is being conducted to determine appropriate requirements and specifications for the Invitation to Bid. A vendor of zoo animals sends a letter to DPM indicating concerns about the prior zoo animal contract requirements and asks to meet with staff to express her concerns. Staff meets with the vendor to hear her concerns. The specs are not yet finalized and the contract has not yet been advertised. Is staff responsible for checking to make sure the vendor is a registered lobbyist?

Please call me to discuss. Thanks, M.

Miriam Singer

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