



Mayor Robert E. Simison

City Council Members:

John Overston, President

Anne Little Roberts, Vice President

Luke Cavener

Liz Strader

Brian Whitlock

Doug Taylor

TO: Mayor and City Council
FROM: Bill Nary, City Attorney, Risk Manager

RE: Award Protest by C.J. Schoonover (CMWM Plumbing and Inspection) re: Plumbing RFQ Inspection and Testing Services. Notice of intent to award granted to Inspect LLC on July 14, 2026

The purpose of this memo is to provide the detail and framework for the Award of Plumbing Inspection and Testing Services selection protest filed by C.J. Schoonover on behalf of CMWM Plumbing and Inspection (CMWM). CMWM was the unsuccessful proposer to a Request for Qualification (RFQ) issued by the City of Meridian for Plumbing and Inspections Services.

RFQ Process and Proposal

An RFQ solicits interested parties in specific skill areas to perform various tasks for the City over a period of time. The City has a competitive selection process that is seeking qualified experienced personnel or companies to perform the various functions over that time period. The City issued an RFQ for 5 various trades within the building division of Community Development Department using the same standard City process that has been used previously. Of the 5 various trade RFQ's that were issued this is the only one that has incurred a protest.

For the Plumbing Inspection and Testing Services RFQ the criteria that were being evaluated were:

- Related work and experience in the field;
- Personnel and staff are sufficient to meet the City's needs;
- References from the Proposer from satisfied customers;
- City of Meridian Experience either working with the City of Meridian or within the City of Meridian on prior occasions.

The timeline of events are as follows:

- RFQ's for all trades issued on May 28, 2026
- Questions regarding the RFQ or the process were due June 9, 2026.
- Addendum No. 1 was issued June 10, 2026.
- The solicitation closed on June 16, 2026.
- The City received 2 responses, Inspect, LLC and CMWM.
- The responses were presented to the evaluation committee (2 City employees) on June 16, 2026.

- The evaluation period ended July 2, 2026. Inspect LLC was the highest ranked proposer.
- The City issued a Notice of Intent to Award to Inspect LLC along with the evaluation results to both proposers on July 14, 2026.
- The City's Procurement Manager, Keith Watts, received a voicemail from CJ Schoonover of CMWM Plumbing & Inspection on July 17, 2026, stating he would like to file a protest to the Notice of Intent to Award and asking how he would do that.
- Mr. Watts phoned Mr. Schoonover back and provided instructions on how to protest a result.
- A formal protest was received on July 21, 2026.

In the protest letter and documentation from Mr. Schoonover he disagrees with the evaluators scoring, specifically in the area of "City of Meridian Experience." In the documentation provided with the protest Mr. Schoonover provides additional narrative and documentation to address the area of "City of Meridian Experience" that was not included in the initial proposal. Because the RFQ proposal time for submission of information and material had passed the City and the scorers could not review or consider any supplemental information provided by a proposer. Idaho Code 67-2806 also requires that the challenger bear the burden of proof to set forth "the express reason or reasons that the award decision of the governing body is in error," which this bidder did not provide. After reviewing the information submitted and based upon the information provided the Procurement Manager denied the appeal and has issued a Preliminary Award to the successful proposer Inspect LLC.

It should be noted that even if full points in the challenged category were awarded to the challenger, the challenger would not become the winning bidder.

Process and Decision for Appeal

The City Council may hear the protest and consider the information provided by the appellant, CMWM. After reviewing the process, documents, submissions, scoring, and determination of the successful proposer the City Council can reject the determined successful proposer, Inspect LLC if they find the award was any of the following:

1. In violation of constitutional or statutory provisions; or
2. In excess of the statutory authority of the agency; or
3. Made in unlawful process or procedure; or
4. Not supported by substantial evidence on the record as a whole; or
5. Arbitrary, capricious, or an abuse of discretion.

The City cannot consider any additional evidence submitted by proposer, but must only rule have based on the process that was in place at the time of the offering, the documents submitted by the proposers at the time of the offering, and the evaluations provided by the scoring panel. The appeal is not a public hearing and no testimony other than the statement of the appellant is allowed. The City Council may ask questions to clarify any of the information provided to the appellant, the Procurement Manager, or the City Attorney.