



October 31, 2008

Mr. Todd B. Fleming  
Symon Communications, Inc.  
Senior Vice President, Global Sales  
500 North Central Expressway, Suite 175  
Plano, Texas 75074-6772

RE: Supplier Disagreement Resolution Case No. SDR08SR-09  
Solicitation No. 1CTELE-08-A-0009

Dear Mr. Fleming:

You lodged a disagreement on September 26 with respect to the above referenced solicitation for Digital Media Services. You request that Symon Communications, Inc., (Symon) be granted a comparable period of time to submit a proposal as were other potential suppliers.

I have carefully reviewed your disagreement and the additional information contained in your October 6 letter. I have also examined the information provided to me by the Contracting Officer. Based on that review and examination, your disagreement is denied.

The information presented to me by the Contracting Officer indicates that the Purchase Team determined, upon receipt of the requirement, that it was in the best interest of the Postal Service to limit competition to its Managed Network Service Providers (Verizon and AT&T). That decision was made because of their qualifications and the limited timeframe within which to make award. I find that this is a reasonable decision based on the facts presented to me.

Although I understand your concerns, had the decision not been made to make use of these existing contracts, an award could not have been made in time to use available funding. As a result, the project would have been delayed or cancelled to the detriment of the Postal Service.

Symon was only given an opportunity to submit a proposal based upon its request that it be permitted to compete, even though no extension of time could be permitted. Symon's alternate proposal was evaluated and determined to be noncompliant with the solicitation requirements and eliminated from further consideration.

In conclusion, I find that the decision to limit competition to the Managed Network Service Providers to have been in the best interests of the Postal Service and your disagreement is denied. In accordance with 39 CFR 601.108 (g), this is my final decision.

Sincerely,

A handwritten signature in black ink, enclosed in a hand-drawn oval. The signature appears to be "Pete Dolder".

Pete Dolder, C.P.M  
USPS Supplier Disagreement Resolution Official

cc: Contracting Officer

bcc: VP Supply Management  
Managing Counsel, Civil Practice  
Managing Counsel St Louis Field Office  
Mark Dennet, Attorney, Tampa Field Office  
Manager, Supplies Portfolio  
Manager, DIE-TEL CMC

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