



CITY OF SOMERVILLE, MASSACHUSETTS
Department of Purchasing
JOSEPH A. CURTATONE
MAYOR

NOTICE OF CANCELLATION / REJECTION OF ALL BIDS

From: Michael Richards, Assistant Purchasing Director

Date: August 10, 2017

Re: Request for Quotes 17-74 REBID – High-Temperature Vehicle Exhaust Removal System

The City of Somerville (the City) is rejecting all quotes received in response to RFQ 17-74 REBID – High-Temperature Vehicle Exhaust Removal System, and will revise and rebid the project. Pursuant to M.G.L. c.149, §44 and the RFQ,

The City reserves the right to reject any or all quotes when the City determines that it is in the best interest of the City to do so.

The specifications included in the RFQ specifications included reference to a high-temperature vehicle exhaust removal system be as specified by Plymovent or equal as approved by the City. Based on counsel from the Attorney General’s Bid Unit and the City’s own general counsel, it was determined that the specifications would be deemed too restrictive or proprietary. A similar judgment was determined in *E. Amanti & Sons, Inc. v. R.C. Griffin, Inc.*, 53 Mass. App. Ct. 245 (2001).

M.G.L c. 39, §39M(b), requires that specifications be written so that “[f]or each item of material the specifications shall provide for either a minimum of three named brands of material or a description of material which can be met by a minimum of three manufacturers or producers, and for the equal of any one of said name[d] or described materials.”

As a result, the City has determined it is in its best interest to cancel this RFQ and reject all quotes received.