



State of New Jersey

DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE AND PROPERTY
OFFICE OF THE DIRECTOR

33 WEST STATE STREET

P. O. BOX 039

TRENTON, NEW JERSEY 08625-0039

<https://www.njstart.gov>

Telephone (609) 292-4886 / Facsimile (609) 984-2575

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

ELIZABETH MAHER MUOIO
State Treasurer

AMY F. DAVIS, ESQ.
Acting Director

October 21, 2025

Via Electronic Mail Only parker.chenault@qmatic.com

Parker Chenault
Q-Matic Corporation
2875 Breckinridge Blvd
Suite #100
Duluth, GA 30096

Re: I/M/O Bid Solicitation #25DPP01136 Q-Matic Corporation
Protest of Notice of Intent to Award
T2970 – Customer Queuing System for New Jersey Motor Vehicle Commission

Dear Mr. Chenault:

This final agency decision is in response to your letter dated September 16, 2025, on behalf of Q-Matic Corporation (“Q-Matic”) received by the Division of Purchase and Property’s (“Division”) Hearing Unit on September 16, 2025 (“Protest”). In that letter, Q-Matic protests the Procurement Bureau’s (“Bureau”) August 28, 2025, Notice of Intent to Award letter (“NOI”) issued for Bid Solicitation #25DPP01136 - Customer Queuing System for New Jersey Motor Vehicle Commission (“Bid Solicitation”).

By way of background, on February 11, 2025, the Bureau issued the Bid Solicitation on behalf of the New Jersey Motor Vehicle Commission (“NJMVC”). The purpose of the Bid Solicitation was to solicit Quotes for a Customer Service Queuing System (CQS, Queue). NJMVC seeks the services of a qualified and reputable market-leading Contractor with a strong background in providing a proven, well-established cloud-based CQS to supply, install, operate, and maintain support for efficient, effective processing of approximately 11 million transactions annually and improve the overall in-agency customer service experience with minimal wait times.” Bid Solicitation Section 1.1, *Purpose and Intent*.

Bid Solicitation Section 1.2, *Background*, cautioned Bidders that this Bid Solicitation addressed the State’s current requirements, and Bidders should not rely upon or use data or information from the expiring Contract in creating its Quote response. “It is the intent of the State of New Jersey (State) to award a Contract to that responsible Bidder whose Quote, conforming to this Bid Solicitation is most advantageous to the State, price and other factors considered.” Bid Solicitation Section 1.1, *Purpose and Intent*.

In accordance with Bid Solicitation Section 2.5, *Optional Pre-Quote Conference*, an optional Pre-Quote Conference was held on February 25, 2025, enabling all potential Bidders to review the Bid Solicitation and Quote submission procedures and requirements. Representatives from eight (8) potential bidding entities attended, including Q-Matic. Additionally, in accordance with Bid Solicitation Section 2.4,

Mandatory Site Visit, a Mandatory Site Visit was held on February 25, 2025, at Trenton Vehicle Center and Regional Service Center. Representatives from sixteen (16) potential bidding entities attended, including Q-Matic In accordance with Bid Solicitation Section 2.1, *Electronic Question and Answer Period*, an electronic portal enabling the Bureau to receive questions electronically was available to all potential Bidders until March 6, 2025. Two (2) Bid Amendments were issued for this Bid Solicitation, which provided revisions to the Bid Solicitation and responses to questions received from potential Bidders. A Revised Bid Solicitation was also issued which reflected changes resulting from the Electronic Question and Answer Period and revised the Quote Opening Date to April 30, 2025.

On April 30, 2025, the Division's Proposal Review Unit opened nine (9) Quotes. The PRU rejected the Quote submitted by Streets Trucking for failing to include a State-Supplied Price Sheet as required pursuant to Bid Solicitation Section 3.26. The remaining eight (8) Quotes were deemed administratively complete by the PRU and released to the Bureau for further review and evaluation.

The Bureau determined that the Quote submitted by Qtrac Inc. ("Qtrac") was non-responsive due to Qtrac's alteration of the State-Supplied Price Sheet ("SSPS") which added language that their prices are not firm, fixed as submitted and there are additional costs which will be incorporated into their proposed pricing which conflicts with the SSPS instructions. The Bureau determined that the Quote submitted by SHI International ("SHI") was non-responsive due to the addition of terms submitted with its Quote which is expressly prohibited in Bid Solicitation Section 3.11, *Bidder Additional Terms Submitted with the Quote*. In their Quote, SHI stated that they were acting strictly as a reseller/billing agent and that all terms and conditions governing any services would be between the State and the third-party services provider. The Bureau determined that the Quote submitted by WaitWell Inc. ("WaitWell") was non-responsive because WaitWell would perform software configuration in Canada. Bid Solicitation Section 3.13.6, *Service Performance in the United States*, requires that all services must be performed within the United States. The Bureau found that the following Quotes met, and complied with, all the mandatory requirements of the Bid Solicitation:

1. ACF Technologies ("ACF")
2. eRay Technologies LLC ("eRay")
3. Q-matic Corporation ("Q-Matic")
4. The Quadrant Group LLC ("Quadrant Group")
5. Wavetec North America Inc. ("Wavetec")

These five (5) Quotes were released to the Evaluation Committee ("Committee") in accordance with Bid Solicitation Section 8.9, *Evaluation Criteria*. The Committee was composed of four (4) voting members from the NJMVC, and one (1) from the Bureau, and one (1) non-voting member from the New Jersey Office of Homeland Security and Preparedness, and two (2) non-voting member from the NJMVC. Evaluation Committee Report, dated August 11, 2025 ("Committee Report"), page 7. The Committee was responsible for performing the technical evaluation of the responsive Quotes received based upon the evaluation criteria set forth in Bid Solicitation Section 8.9.1, *Technical Evaluation Criteria*, which stated in part:

- A. Personnel: The qualifications and experience of the Bidder's management, supervisory, and key personnel assigned to the Contract, including the candidates recommended for each of the positions/roles required;
- B. Experience of firm: The Bidder's documented experience in successfully completing Contract of a similar size and scope in relation to the work required by this Bid Solicitation; and

- C. Ability of firm to complete the Scope of Work based on its Technical Quote: The Bidder's demonstration in the Quote that the Bidder understands the requirements of the Scope of Work and presents an approach that would permit successful performance of the technical requirements of the Contract.

Prior to the Quote Opening, representatives from NJMVC and the Bureau assigned relative weights for the three (3) Evaluation Criteria as indicated on the timestamped score sheet shown below:

QUOTE SCORE SHEET

BID SOLICITATION TITLE:	T2970 Customer Queuing System for New Jersey Motor Vehicle Commission
BID SOLICITATION NO.:	25DPP01136
BIDDER NAME:	
DATE SCORED:	

SCORING LEGEND	
5	Excellent
4	Very Good
3	Good
2	Fair
1	Poor

	EVALUATION CRITERIA	SCORE	WEIGHT	SUBTOTAL
A.	<u>Personnel:</u> The qualifications and experience of the Bidder's management, supervisory, and key personnel assigned to the Contract, including the candidates recommended for each of the positions/roles required;		20	
B.	<u>Experience of firm:</u> The Bidder's documented experience in successfully completing Contract of a similar size and scope in relation to the work required by this Bid Solicitation; and		30	
C.	<u>Ability of firm to complete the Scope of Work based on its Technical Quote:</u> The Bidder's demonstration in the Quote that the Bidder understands the requirements of the Scope of Work and presents an approach that would permit successful performance of the technical requirements of the Contract.		50	
	TOTAL SCORE		100	
	NOTE: Each score must be a whole number, decimals and fractions are not permitted SCORE x WEIGHT = SUBTOTAL			

EVALUATOR PRINTED NAME:	
EVALUATOR SIGNATURE:	

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The Committee members met on July 14, 2025, July 15, 2025, and July 24, 2025 to review and consider the Quotes as a group. After the Committee meeting, each conducted an independent analysis of each of the five (5) responsive Quotes, and submitted scoring individually to the Bureau. The five (5) voting members assigned individual technical scores (1-5) for each of the three (3) Evaluation Criteria for each

Quote. Committee Report at p. 8. Assigned scores were multiplied by the criterion weight to produce a weighted score for each criterion.

Bidder	Total Criterion A (Max 500)	Total Criterion B (Max 750)	Total Criterion C (Max 1,250)	Total Technical Score (Max 2,500)	Average Technical Score (Max 500)	Ranking
ACF Technologies	280	570	1,150	2,000	400	1
Q-matic	200	540	600	1,340	268	2
Wavetec	160	330	350	840	168	3
eRay	120	210	400	730	146	4
The Quadrant Group	120	150	250	520	104	5

In accordance with Bid Solicitation Section 8.12, *Negotiation and Best and Final Offer (BAFO)*, the Bureau requested a BAFO from ACF on June 25, 2025. ACF provided the BAFO response as shown below:

Bidder	Price	BAFO	Technical Ranking	Cost Ranking
ACF Technologies	\$4,080,331.93	\$3,951,109.56	1	1

Having completed its evaluation of the Quotes received in response to the Bid Solicitation, on August 28, 2025, the Bureau issued the NOI advising all Bidders that it was the State’s intent to award a Contract to ACF.

On September 16, 2025, prior to the close of the protest period, Q-Matic submitted the Protest, including a request for an in-person hearing, challenging the Division’s decision to award the Contract to ACF. Q-Matic “contests the Committee’s determination that Qmatic ‘would not be able to adequately meet the requirements of the bid’”. Protest, page 1. Specifically, Q-Matic states that:

1. They are the incumbent Contractor (since 2019) and that their system is currently in operation which has and is functioning effectively;
2. Their Quote addresses the requirements of the Bid Solicitation and “[a]s the incumbent provider, we have already demonstrated our ability to meet these requirements in a real-world production environment”; and
3. Transitioning away from their system “introduces unnecessary risk, disruption and costs for NJMVC”.
4. Requiring a new system “artificially increased costs by requiring the purchase of entirely new hardware” which will “result[] in hundreds of thousands of dollars in avoidable expenses over the life of the contract, despite the fact that the current equipment is fully operational.”

[Protest, pages 1-2.]

By way of remedy, Q-Matic requests that the Committee reconsider its evaluation, re-examine the award decision and fully and fairly consider Q-Matic’s Quote.

Although Q-Matic requested an in-person presentation as permitted by N.J.A.C. 17:12-3.3(e), “[t]he Director has sole discretion to determine if an in-person presentation by the protester is necessary to reach an informed decision on the matter(s) of the protest. In-person presentations are fact-finding for the benefit of the Director.” Further, “[i]n cases where no in-person presentation is held, such review of the written record shall, in and of itself, constitute an informal hearing.” N.J.A.C. 17:12-3.3(d). I have reviewed the record of this procurement, including the Bid Solicitation, the Quotes received, the Evaluation Committee Report, the Bureau’s Recommendation Report, the relevant statutes, regulations, case law, and the protest submitted by Q-Matic. The issues raised in the protest were sufficiently clear such that a review of the record of this procurement has provided me with the information necessary to determine the facts of this matter and to render an informed final agency decision on the merits of the protest submitted by Q-Matic on the written record, as such an in-person hearing is not warranted. I set forth herein the Division’s Final Agency Decision.

DISCUSSION

The New Jersey Courts have long recognized that the purpose of the public bidding process is to “secure for the public the benefits of unfettered competition.” Meadowbrook Carting Co. v. Borough of Island Heights, 138 N.J. 307, 313 (1994). To that end, the “public bidding statutes exist for the benefit of the taxpayers, not bidders, and should be construed with sole reference to the public good.” Borough of Princeton v. Board of Chosen Freeholders, 169 N.J. 135, 159-60 (1997). The objective of New Jersey’s statutory procurement scheme is “to guard against favoritism, improvidence, extravagance and corruption; their aim is to secure for the public the benefits of unfettered competition.” Barrick v. State of New Jersey, 218 N.J. 247, 258 (2014) (citing Keyes Martin & Co. v. Dir. of Div. of Purchase and Prop., 99 N.J. 244, 256 (1985)).

New Jersey procurement law requires that “specifications and invitations for bids shall permit such full and free competition as is consistent with the procurement of supplies and services necessary to meet the requirements of the using agency. . . .” N.J.S.A. 52:34-12. This principle is based on the long-recognized “policy behind the competitive bidding statutes, i.e., assurance against favoritism, improvidence, extravagance and corruption in the bidding process.” Palamar Constr., Inc. v. Pennsauken, 196 N.J. Super. 241, 251 (App. Div. 1983) (citing Terminal Construction Co. v. Atlantic City Sewerage Auth., 67 N.J. 403, 410 (1975)). “These policies, in turn, are meant to ensure that all bidders are equally situated in their competition for the public contract.” Palamar, *supra*, 196 N.J. Super. At 251 (citing Hillside Twp. v. Sternin, 25 N.J. 317, 322 (1957)).

Q-Matic provided an administratively complete Quote that was evaluated by the Committee. A review of the Committee Report shows that the Committee evaluated Q-Matic on the three criteria (Personnel, Experience of Firm, and Ability of firm to complete the Scope of Work based on its Technical Quote) that are set forth in Bid Solicitation Section 8.9.1, *Technical Evaluation Criteria* in the same manner as they did for all other responsive bidders for this Bid Solicitation. In their Protest, Q-Matic requests that their “proposal receives full and fair consideration” Protest, page 1, but does not argue or state any allegations as to how their Quote was not fully and/or fairly considered.

What Q-Matic did argue in their Protest is that because they are the incumbent on the Contract, they should be awarded this Contract. On pages 1-2 of their Protest, Q-Matic states the following:

We respectfully request that the Committee reconsider its evaluation considering the following points:

1. **Proven Track Record:** Qmatic has successfully delivered queue management services for NJMVC statewide since 2019. The system currently in operation is functioning effectively and serving the needs of both staff and citizens.
2. **Demonstrated Compliance:** Our proposal was carefully prepared to address each requirement of the RFP. As the incumbent provider, we have already demonstrated our ability to meet these requirements in a real-world production environment.
3. **Risk Mitigation:** Transitioning away from a proven, operational solution introduces unnecessary risk, disruption, and costs for NJMVC and its stakeholders. Retaining the incumbent solution ensures continuity and stability.
4. **Best Value for the State:** As the incumbent, Qmatic has already deployed and maintained the State's current system and hardware, representing a significant taxpayer investment. By prohibiting use of this existing infrastructure, the RFP artificially increased costs by requiring the purchase of entirely new hardware. This restriction results in hundreds of thousands of dollars in avoidable expenses over the life of the contract, despite the fact that the current equipment is fully operational. This procurement approach disregards prior investments, inflates long-term costs for citizens, and contradicts the State's obligation to pursue best value through both cost efficiency and operational continuity.

In each of their four (4) arguments in their Protest Q-Matic stresses their incumbency in the current Contract seeming to suggest that their incumbency trumps all else in the procurement process including any deficiencies or concerns found by the Committee in reviewing their Quote.

With respect to the "Personnel" category in Bid Solicitation Section 8.9.1, *Technical Evaluation Criteria*, the Committee found that Q-matic's proposal to assign two (2) part-time developers to this Contract, rather than any full time developers was not sufficient. Additionally, Q-Matic proposed one (1) project manager for this project which the Committee felt would be insufficient as there was no information provided in Q-Matic's Quote for who would be responsible for tasks, operations, etc. if the project manager was unavailable for any reason. For these reasons, the Committee awarded them a score of "Fair" for this category.

With respect to the "Experience of Firm" category in Bid Solicitation Section 8.9.1, *Technical Evaluation Criteria*, the Committee found that Q-Matic's Quote demonstrated sufficient experience to complete the scope of work and awarded them a score of "Good" to "Very Good" for this category.

For the final category in Bid Solicitation Section 8.9.1, *Technical Evaluation Criteria*, is the ability of the firm to complete the Scope of Work based on its Technical Quote, Q-Matic earned a score of "Fair" to "Good" from the Committee. The Committee found that there were no service level agreements ("SLA's") in Q-Matic's Quote which are necessary to make sure the Customer Queuing System ("CQS") is always operational. In their Quote, Q-Matic did not detail what equipment it would use for this project. Lastly, and perhaps most concerning for the Committee, was Q-Matic's Recovery Time Objective of four (4) hours for "Core services" found on Q-Matic's Business Continuity and Disaster Recovery Plan. Bid Solicitation section 4.9.1.1, *CQS Service Level Agreements* requires that the Contractor provide resolution within one (1) hour for Level 1 events, "where business halts and Agencies are unable to process POS transactions." The Committee found that Q-Matic's proposal of a four (4) hour resolution for instances where "Core services" were impacted was far too long, could run afoul of a mandatory requirement in the Bid Solicitation and forced the Committee to question whether Q-Matic understood the importance of the SLA's and CQS being operational at all times.

The New Jersey Courts have long recognized that the purpose of the public bidding process is to “secure for the public the benefits of unfettered competition.” Meadowbrook Carting Co. v. Borough of Island Heights, 138 N.J. 307, 313 (1994). To that end, the “public bidding statutes exist for the benefit of the taxpayers, not bidders, and should be construed with sole reference to the public good.” Borough of Princeton v. Board of Chosen Freeholders, 169 N.J. 135, 159-60 (1997). The objective of New Jersey’s statutory procurement scheme is “to guard against favoritism, improvidence, extravagance and corruption; their aim is to secure for the public the benefits of unfettered competition.” Barrick v. State of New Jersey, 218 N.J. 247, 258 (2014) (citing, Keyes Martin & Co. v. Dir. of Div. of Purchase and Prop., 99 N.J. 244, 256 (1985)).

The Evaluation Committee Report reveals the deliberations and opinions of the Evaluation Committee members as they reviewed each Quote against the requirements of the Bid Solicitation, prior to the individual members scoring each Quote. A review of all of the evaluated Quotes shows the Evaluation Committee was thoughtful in its analysis of each one based on the documentation provided, and that the Evaluation Committee was not arbitrary, capricious, or unreasonable in its evaluations.

While Q-Matic’s performance under the current Contract may have been satisfactory, past performance is no guarantee of future success. The Committee fully and fairly evaluated Q-Matic’s Quote and found that the level of detail included in Q-Matic’s Quote was basic and not as robust as was necessary to assure the Committee that Q-Matic understood the scope of work in this Bid Solicitation. Q-Matic’s Quote for this Bid Solicitation must stand alone, and Q-matic cannot rely on their performance under the current Contract to make up for any deficiencies and lack of specificity in their Quote for this Bid Solicitation. Q-Matic submitted a Quote that was adequate to be responsive to the requirements and sufficient to be evaluated, but left the Evaluation Committee with concerns. Permitting Q-Matic to now supplement its Quote with considerations of past performance after Quotes have been opened would place Q-Matic in a position of advantage over other bidders by otherwise undermining the necessary common standard of competition required by New Jersey’s courts and procurement laws.

CONCLUSION

Based upon the foregoing, I find no reason to disturb the Bureau’s recommendation that the Contract be awarded as outlined in the Recommendation Report. Accordingly, I sustain the August 28, 2025, Notice of Intent to Award. This is my final agency decision.

Thank you for your company’s interest in doing business with the State of New Jersey. I encourage you to log into [NJSTART](#) to select any and all commodity codes for procurements you may be interested in submitting a Quote for so that you may receive notification of future bidding opportunities.

This is the Division’s final agency decision. Pursuant to N.J.A.C. 17:12-3.1, this determination is appealable to the Appellate Division of the Superior Court in accordance with the New Jersey Court Rules (R. 2:4-1) which provide a party 45 days to appeal this final agency decision.

Sincerely,



Cory K. Kestner
Acting Chief Hearing Officer

CKK:CMD

c: M. Dunn
B. Cegerenko