



From: Currents <currents@jea.com>
Sent: Tuesday, August 6, 2019 2:46 PM
To: !(EVERYONE - JEA) <everyone_jea@jea.com>
Subject: Limitations on Communications Regarding the ITN



Limitations on Communications Regarding the ITN

It's important that we all learn a new term that we may not be familiar with if we don't operate in the world of procurement or deal with legal terminology on a daily basis.

With the release of the Strategic Alternatives Invitation to Negotiate (ITN) #127-19 on Friday, August 2, JEA entered a time period where there are restrictions of ***ex parte communications***. "*Ex parte communications*" consist of one party receiving information that another party (or competitor) is not privy to, and means communications relating to the ITN that occur outside of advertised public meetings or the formal procurement process. The restriction on *ex parte* communications is also commonly referred to as a "cone of silence."

Employees may, through their regular daily work, have contacts with other organizations, vendors, etc., that may want to discuss the ITN. Employees should not have these discussions. Communication between potential bidders and JEA, including its employees, vendors and board members, or representatives of either potential bidders or JEA, is restricted between the time of the ITN's release (August 2) and the award of a contract resulting from the ITN.

The purpose of the restriction of *ex parte* communication is to ensure the fairness of the ITN process and to preserve the fair, open and impartial consideration of respondents to the ITN. Restrictions on *ex parte* communication are required by JEA's Procurement Code, and are a common practice in all public procurement processes. In fact, the same restriction was in place when the new headquarters bidders were submitting their proposals.

Thank you for your cooperation in helping to ensure a smooth ITN process.

If you have any questions about this topic, please direct them to VP & Chief Supply Chain Officer **John McCarthy** at **665-5544** or by [email](#), or to **Jenny McCollum**, Director of Procurement Services at **665-4103** or by [email](#).

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If you have questions please contact Joy W. Gutos, Manager, Internal Communications.

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