

FW: Appeal to the decision regarding PUR-RFQ2022.02.10032: eDiscovery Software

City Clerk <[REDACTED]>

Tue 6/21/2022 8:26 AM

To: Taber, Toni <[REDACTED]> Agendadesk <[REDACTED]> Krantz, Ruth <[REDACTED]>

Logikcull is requesting an appeal before the Council meeting 6/28.

Council Memo:

<https://sanjose.legistar.com/View.ashx?M=F&ID=10996699&GUID=791901EA-F783-4EA7-BA8E-F426BDCE296F>

From: Sheeba Chenthitta <[REDACTED]>

Sent: Monday, June 20, 2022 11:16 AM

To: City Clerk <[REDACTED]>

Cc: Stein, Jonathan <[REDACTED]>

Subject: Appeal to the decision regarding PUR-RFQ2022.02.10032: eDiscovery Software

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Hi,

Logikcull is submitting this appeal of the decision made by the Finance Department - Purchasing & Risk Management pursuant to San José Municipal Code Section 4.12.460.

I'd like a little more clarity on how this appeal works - do we submit another appeal in writing, **or** will this be an oral appeal during the City Council meeting on June 28th? Please let me know ASAP so we can submit the proper information by the June 24 deadline if the appeal is supposed to be in written format.

Best,

Sheeba

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Our summer launch event, Cull Me If You Can, is coming up! [Register for the June 21 program here.](#)



Sheeba Chenthitta

Senior Customer Success Manager

[REDACTED]

San Francisco, CA



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To: City Council, City of San Jose
From: Logikcull
Date: June 28, 2022
Subject: Protest to PUR-RFQ2022.02.10032 ediscovery solution

On Tuesday, June 14th, 2022, the Finance Department - Purchasing & Risk Management division upheld their decision to award the RFQ to Modus Discovery. We protest this decision for the following reasons:

1. Project Approach/Schedule - As stated in the original RFQ submission, Logikcull is a self service solution that doesn't require a project plan to implement. It's accessible instantaneously from any modern browser. Creating a new project is as simple as clicking a button and dragging and dropping files. The average time from project creation to review is roughly 15 minutes depending on the size of the project. Despite Logikcull's clear dominance in speed, the RFQ awarded Logikcull the least amount of points in this category. Making a change to Modus Discovery is going to slow down The City Attorney's Office in their project schedule.
2. Onboarding and Training - The City Attorney's Office has already set up their Logikcull account and has been onboarded for years, so there is no implementation necessary. The City Attorney's Office will waste valuable employee time and salary by going through a lengthy implementation process with a traditional vendor. Beyond the cost of employee salaries, Modus Discovery is actually charging The City of San Jose to learn how to work with them, while the city's eDiscovery experts are already fluent on Logikcull's platform, having now built mastery of it over the past five years.
3. Cost Proposal - The Finance team noted that Logikcull is the highest priced vendor, which led to a loss of points. One piece of consideration not validated during the RFQ is the cost of switching solutions. The City Attorney's Office just extended their Logikcull subscription by three months for \$22,812, which is an unseen cost of switching models.
4. Data Control - When the City Attorney's Office outsources their data to a vendor, they're giving away control of highly sensitive data to a third party. Data security breaches have been on the rise over the last couple of years, and many of those have happened because of a vendor not securing data. Using a vendor requires shipping data to a recipient and hoping it gets there without issue. With Logikcull, you can upload the data instantly from your own highly protected system, and the data is instantly encrypted on our platform. We also let you further restrict access to your data by having permission based user roles.

By switching to Modus Discovery, The City of San Jose is:

- Moving to a slower model of matter review
- Introducing additional risk to data breach/exposure

- Giving up data control
- Spending time & money on re-training employees

It is our belief that The City of San Jose would prefer to avoid the above implications. Logikcull is requesting that, before an agreement is executed between The City of San Jose and Modus Discovery, that we have the opportunity to discuss these matters on a phone call with a city representative to prove that our capabilities are better than the scores we received in the RFQ process and that we are in fact the best value partner for The City of San Jose.