



Independent Procurement Review Report

Why We Did This Review

In accordance with Atlanta City Charter Article 8, Section 8-107, the Independent Procurement Review Division of the Office of the Inspector General must review all solicitations with an aggregate value of \$1,000,000 or greater, seeking approval by the Atlanta City Council, for file completeness, conflicts of interest, and other areas of perceived deficiency.

Solicitation#	RFP/DOA/ 2209-1230084
Estimated Dollar Amount:	\$5,000,000- \$10,000,000- Term: Five years, with two additional two-year renewal terms
Type of Procurement:	Request for Proposals
Contract Description:	On-Call Electrical Services at Hartsfield-Jackson International Airport
Requesting Department:	Department of Aviation
All Proponents:	Cleveland Intellispring, a Joint Venture
DOP Responsive Proponents:	Cleveland Intellispring, a Joint Venture
Recommended Awardee:	Cleveland-Intellispring, a Joint Venture

TABLE OF FINDINGS

Review Area	Risk/Criteria	Results	DOP Response
Evaluation Team	DOP procedures require evaluators to possess the necessary and appropriate experience needed to evaluate the proposals or offerors submitted to the city.	No findings identified	N/A
Solicitation	<ul style="list-style-type: none"> Bids shall only be evaluated on requirements and evaluation criteria outlined in the formal solicitation (DOP SOP 4.3.6.(E)(3)). Having selection criteria established in the solicitation can help prevent bid manipulation. Evaluation criteria that are too vague or subjective can allow for manipulation of the scores. 	No findings identified	N/A
Advertisement/ Addenda	<ul style="list-style-type: none"> Changing the solicitation criteria to favor a particular proponent is a red flag of potential bid rigging (International Anti-Corruption Resource Center). Too many addenda could indicate unclear specifications or unclear scope of work, which could also favor a particular proponent. 	No findings identified	N/A
Submittal	The city code provides that the city shall select no less than three submittals solicited from an RFP that it deems as the most responsible and responsive; provided, however, that if three or fewer offerors respond, the requirement shall not apply (City Code Sec. 2-1189).	The solicitation received one submittal.	No response required

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Responsive Review	<ul style="list-style-type: none"> • DOP procedures require findings to be recorded on a responsive checklist which identifies specific submittal requirements for the project and identifies a proponent's compliance with those required documents. • Unclear or inconsistent responsiveness determinations could be a red flag of bid manipulation. 	<ol style="list-style-type: none"> 1) The proposed awardee's JV minority partner failed to submit two bank or institutional references as required by the option selected on Form 3 (Contractor Financial Disclosure) by the bid deadline. DOP waived the missing documents as a minor technicality. DOP advised scores were not received from Risk Management and DOP awarded points based on Risk's approval via email stating that the financial reference letters received from the minority JV partner after the proposal deadline were sufficient. 2) The proponent failed to submit Form 7 (Contractors & Vendors Ethics Pledge) for the JV. DOP waived the missing required document as a minor technicality due to the JV being newly formed. 3) The JV minority partner failed to submit the Authority to Transact Business in the State of Georgia. DOP forwarded the proposal for evaluation waiving the missing document as a minor technicality. 	<ol style="list-style-type: none"> 1) DOP received agreement from the Chief Procurement Officer to waive the financial disclosure as a minor technicality. The supplier was given an opportunity to clarify their financial disposition the new process initiated by Risk. 2) DOP received agreement from the Chief Procurement Officer to waive contractor and ethics pledge for the JV as a minor technicality and accepted the document submitted from the prime and sub-contractor. 3) DOP received agreement from the Chief Procurement Officer to waive missing business license as a minor technicality and accepted the documented submitted for the prime
Conflict of Interest	<p>The city's standards of conduct prohibit employees from having financial conflicts of interests. Contracts must be awarded and administered free from improper influence or the appearance of impropriety.</p>	<p>The JV majority partner failed to disclose a federal tax lien and a state tax lien within the last five years as required by Form 3 (Contractor Financial Disclosure).</p>	<p>DOP conducts the responsive review using information provided by the supplier. Upon notification of any additional information identified by IPRO, DOP will advise the User Agency to determine the disposition and to coordinate corrective actions from the supplier, as applicable.</p>

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Evaluation	<ul style="list-style-type: none"> • DOP procedures require procurement staff to compile the evaluation scores, including those from risk management and contract compliance. • Public procurement practice states that any arithmetical errors should be corrected, and scores should be recorded in grids/matrices (NIGP). 	An attendee of the evaluation session was not listed as an approved recommended evaluator.	DOP ensures that evaluation team members are solely involved with scoring discussions. Any attendee, that was not an evaluator would be involved for administrative support, such as the Procurement Manager or a User Agency program manager.
Cancellation	<ul style="list-style-type: none"> • The Government Accountability Office states that the use of standard language such as “in the best interest of the city” without a specific justification for cancellation could be a fraud indicator. • Transparency International states that effective record-keeping of decisions and reasons for cancellation promotes accountability and transparency. 	No findings identified	N/A
Award	A contract file should include all project items, to confirm that each phase of the procurement was facilitated appropriately and audit-ready (DOP SOP Sec. 3.18)	No findings identified	N/A