



Independent Procurement Review Report

Why We Did This Review

In accordance with Atlanta City Charter Chapter 6, Section 2.603, our office is authorized to 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#	1200353
Estimated Dollar Amount:	\$12,400,000
Type of Procurement:	Invitation-for-Bid
Contract Description:	Fire Life Safety Enhancement Project T Concourse
Requesting Department:	Department of Aviation
All Proponents:	Barnsley Lexdyn, A Joint Venture Carroll Daniel/Moody A Joint Venture Dunn Works A Joint Venture McCarthy-FS 360 II, A Joint Venture
DOP Responsive Proponents:	Barnsley Lexdyn, A Joint Venture Carroll Daniel/Moody A Joint Venture Dunn Works A Joint Venture McCarthy-FS 360 II, A Joint Venture
Recommended Awardee:	Carroll Daniel/Moody 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	No response needed
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	No response needed
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. 	DOP published five addenda for this solicitation.	No response needed
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).	No findings identified	No response needed

Review Area	Risk/Criteria	Results	DOP Response
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 bidder's compliance with those required documents. Unclear or inconsistent responsiveness determinations could be a red flag of bid manipulation. 	<p>DOP deemed all four bidders as responsive, however, IPRO found the following discrepancies in two bidders' submittals:</p> <p>Bidder #1 Bidder provided signed letters of intent for each subcontractor and submitted Form B for all essential subcontractors; however, the bidder did not list all of the subcontractors to be used on the project, as required by the form.</p> <p>Bidder #2 An essential subcontractor did not provide contact name or number for both references, as required by the form.</p> <p>The above findings did not affect the outcome of the solicitation's award.</p>	<p>DOP Response OCC provided the following response. "Letter of Intent was listed for the minority JV partner because they are not self-performing any work on the project. They are managing all subcontractors which is one of the responsibilities of the JV team. Typically, the Letter of Intent is filled out for JV partners and subcontractors who are actually self-performing work in a particular trade category as opposed to managing the work of the subcontractors."</p>
Conflict of Interest	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.	No findings identified	No response needed
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). According to the International Anti-Corruption Resource Center, bids that are too close together (less than 1%) or too far apart (more than 20%) could be indicators of collusive bidding. Not applicable for RFPs. 	The bid spread between the lowest and highest bidders was 45.61%. According to the International Anti-Corruption Resource Center, bids that are less than 1% or more than 20% apart could be indicators of collusive bidding.	No response needed
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	No response needed
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	No response needed