



**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#	IFB-C-1200626
Estimated Dollar Amount:	\$10,000,000
Type of Procurement:	Invitation-to-Bid
Contract Description:	North Airfield Ground Lighting Cable Replacement
Requesting Department:	Department of Aviation
All Proponents:	Brooks Berry Haynie & Associates - Uptime JV
DOP Responsive Proponents:	N/A
Recommended Awardee:	<b>Canceled</b>

**TABLE OF FINDINGS**

Review Area	Risk/Criteria	Results	DOP Response
<b>Evaluation Team</b>	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
<b>Solicitation</b>	<ul style="list-style-type: none"> <li>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.</li> <li>Evaluation criteria that are too vague or subjective can allow for manipulation of the scores</li> </ul>	<p>This solicitation was previously cancelled under IFB-S-1200034.</p> <p>DOP found the sole bidder non-responsive for not providing a copy of the general contractor's license as required by the technical instructions for each bidder. The bidder also failed provide a notarized joint venture agreement.</p>	N/A
<b>Advertisement/ Addenda</b>	<ul style="list-style-type: none"> <li>Changing the solicitation criteria to favor a particular proponent is a red flag of potential bid rigging (International Anti-Corruption Resource Center).</li> <li>Too many addenda could indicate unclear specifications or unclear scope of work, which could also favor a particular proponent.</li> </ul>	There were three addenda issued for this solicitation.	No response required
<b>Submittal</b>	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).	DOP received only one submittal from this solicitation.	No response required

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<b>Responsive Review</b>	<ul style="list-style-type: none"> <li>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.</li> <li>Unclear or inconsistent responsiveness determinations could be a red flag of bid manipulation.</li> </ul>	N/A	N/A
<b>Conflict of Interest</b>	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.	N/A	N/A
<b>Evaluation</b>	<ul style="list-style-type: none"> <li>DOP procedures require procurement staff to compile the evaluation scores, including those from risk management and contract compliance.</li> <li>Public procurement practice states that any arithmetical errors should be corrected, and scores should be recorded in grids/matrices (NIGP).</li> <li>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.</li> </ul>	N/A	N/A
<b>Cancellation</b>	<ul style="list-style-type: none"> <li>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.</li> <li>Transparency International states that effective record-keeping of decisions and reasons for cancellation promotes accountability and transparency.</li> </ul>	<p>The solicitation was canceled during the current the solicitation period.</p> <p>DOP found the sole bidder non-responsive for not providing a copy of the general contractor's license as required by the technical instructions for each bidder.</p>	No response required
<b>Award</b>	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)	N/A	N/A