



## 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#	1210316
Estimated Dollar Amount:	\$1,800,000
Type of Procurement:	Invitation for Bid
Contract Description:	South Cargo Building A Parking Lot Expansion
Requesting Department:	Department of Aviation
All Proponents:	C.W. Matthews Contracting Co, Inc. Precision 2000, Inc. Randolph & Company, Inc.
DOP Responsive Proponents:	C.W. Matthews Contracting Co, Inc. Precision 2000, Inc. Randolph & Company, Inc.
Recommended Awardee:	C.W. Matthews Contracting Co, Inc

### 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.	The user agency provided DOP with documentation regarding evaluation team members so that DOP could evaluate those members for responsibility. However, DOP did not submit such documentation to the CPO for approval as required by DOP Standard Operating Procedures.	<p style="text-align: center;">DOP Response</p> DOP procedures require evaluators to possess the necessary and appropriate experience needed to evaluate the proposals or offerors submitted to the city. <p>The documentation submitted by the user agency regarding competence of evaluation team members was reviewed by the Contract Specialist; however, had not been forwarded to the CPO for approval based on an understanding that it was not required for IFB's. Section 4.4. of Standard Operating Procedures specify that the CPO's review of evaluators is for RFP's.</p>

Review Area	Risk/Criteria	Results	DOP Response
<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>	No findings identified	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>	No findings identified	N/A
<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).	No findings identified	N/A
<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>	<p>DOP deemed all bidders responsive, however, we identified the following discrepancies:</p> <ul style="list-style-type: none"> <li>None of the bidders provided a notarized "Bid Bond Form" (Form 3).</li> <li>One bidder did not provide "Letters of Intent" for any subcontractors. This bidder is not recommended for award.</li> </ul>	<p>DOP Response</p> <p>All bidders were deemed responsive. Although the responsiveness review did not denote the receipt of a Bid Bond Form and Letters of Intent for any subcontractors, the provided Bid Bond documents and Letters of Intent were reviewed and evaluated by OCC, and deemed responsive.</p>
<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.	No findings identified	N/A

Review Area	Risk/Criteria	Results	DOP Response
<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>	No findings identified	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>	No findings identified	N/A
<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)	No findings identified	N/A