



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.

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| Solicitation# | SP-S-1210155 |
| Estimated Dollar Amount: | \$4,297,066 |
| Type of Procurement: | Special Procurement |
| Contract Description: | Oracle Cloud software support |
| Requesting Department: | Department of Finance |
| All Proponents: | Mythics, Inc. |
| DOP Responsive Proponents: | N/A |
| Recommended Awardee: | Mythics, Inc. |

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. | N/A | 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 | N/A | 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. | N/A | 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). | N/A | N/A |

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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 bidder's compliance with those required documents. Unclear or inconsistent responsiveness determinations could be a red flag of bid manipulation. | N/A | N/A |
| 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 | N/A |
| 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. | N/A | N/A |
| 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. | N/A | N/A |
| Award | <p>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)</p> <ul style="list-style-type: none"> Special Procurements require the following documentation, according to City Code Section 2-1214, DOP SOP Sec 4.8: Procurement request form from user agency Department memo to CPO detailing the unusual and/or unique situation CPO's written determination/approval for special procurement | <p>The Department of Procurement did not provide the following required documents:</p> <ul style="list-style-type: none"> Department memo to CPO detailing the unusual and/or unique situation. Approved requisition that reflects the total project amount. CPO's Written determination/approval for special procurement SAM verification Original IRREA Form SAM verification | <p>DOP Response</p> <p>The Department of Finance provided an approved requisition for the first year's obligation for this contract. According to Finance, funds necessary for each additional year will be committed through the adoption of the annual budget.</p> <p>Department of Finance</p> |

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| | <ul style="list-style-type: none"> • Original IRREA form • Statement of work and corresponding competitive quotes (at a minimum three (3) quotes shall be reflected or justification otherwise) • Insurance (if applicable) • Approved requisition • Conflict of interest form • SAM verification • Authority to Transact Business in Georgia (DOP SOP Sec. 4.8) | <ul style="list-style-type: none"> • Authority to Transact Business in Georgia | <p>provided DOP all outstanding required documents for this special procurement.</p> |