



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.

FC#	1190043
Estimated Dollar Amount:	>\$1,300,000
Type of Procurement:	Request for Proposals
Contract Description:	401(a) Defined Contribution Plan & 457b Deferred Compensation Plan
Requesting Agency:	Department of Finance
All Proponents:	Great West Financial DBA Empower Retirement Voya Retirement Insurance Prudential Insurance
DOP Responsive Proponents:	Great West Financial DBA Empower Retirement Voya Retirement Insurance Prudential Insurance
Recommended Awardee:	Prudential Insurance

TABLE OF FINDINGS

Review Area	Risk/Criteria	Results	Resolved/ Remaining
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 	<ul style="list-style-type: none"> This solicitation has been cancelled two previous times, with the reason given as "in the best interest of the City" 	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. 	<ul style="list-style-type: none"> The city posted 5 addenda The format of addenda is inconsistent with DOP's standard operating procedures; however, each proponent acknowledged receipt of the addenda. <p>This issue was noted in a previous IPRO report and DOP provided the following response: "DOP is currently reviewing all procedures and will review the provisions related to issuance of addenda to determine if an update is necessary. All procurement professionals will be trained on resulting changes to procedures."</p>	No response needed

Review Area	Risk/Criteria	Results	Resolved/ Remaining
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	N/A
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. 	<ul style="list-style-type: none"> DOP identified the proponent recommended for award as "responsive" but we noted the proponent did not complete Form 4.1(Certificate of Insurance Ability), Form 4.2 (Certification of Bonding Ability), or Form 8 (Proposal Bond) as required. 	<p>Resolved</p> <ul style="list-style-type: none"> Form 4.1 (Certificate of Insurance Ability) and Form 4.2 (Certification of Bonding Ability) were included with the response from the offeror. The blank forms were appended with a memo from the offeror that made them responsive. Additionally, the forms are no longer required in our solicitations as a result of communication with the Georgia Insurance Commissioner. Form 8. Proposal Bond was identified in the original solicitation as Not Applicable.
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	Public procurement practice states that any arithmetical errors should be corrected, and scores should be recorded in grids/matrices (NIGP).	<ul style="list-style-type: none"> We identified an error on the scoring matrix for the Risk Management and Office of Contract Compliance ratings and alerted DOP, which corrected the scoring. The error did not impact the award outcome. 	Resolved
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

Review Area	Risk/Criteria	Results	Resolved/ Remaining
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