



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#	FC-1190048
Estimated Dollar Amount:	\$3,500,000
Type of Procurement:	Request for Proposals (RFP)
Contract Description:	Rental Car Facility Operations and Maintenance Services
Requesting Department:	Department of Aviation
All Proponents:	<ul style="list-style-type: none"> • Meridian Urban Joint Venture, LLC • CONRAC Services Joint Venture • Goodwill of North Georgia • MVI Field Services • ABM-ALL N 1 Security Services, Inc.
DOP Responsive Proponents:	<ul style="list-style-type: none"> • Goodwill of North Georgia • CONRAC Services Joint Venture • Meridian Urban Joint Venture, LLC
Responsible Proponents:	Meridian Urban Joint Venture, LLC
Anticipated Award:	Meridian Urban Joint Venture, LLC
Awardee(s):	Meridian Urban Joint Venture, LLC

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. 	<p>This procurement was cancelled previously under FC-10002 due to a determination of non-responsiveness of all proponents by the Department of Procurement.</p> <p>No findings identified</p>	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. 	<ul style="list-style-type: none"> • 6 total addenda • In addendum #6, DOP's responses to proponents' questions indicate that the city is withholding information that is already known by and could benefit the incumbent and discourage potential proponents. For example, the city will not disclose the value of the current mechanical or custodial equipment or disclose the current annual contract value. The city will not provide a list of vehicles, 	<p>Resolved</p> <ul style="list-style-type: none"> • The DOP is reliant on the User Agency to provide technical documents (if available) requested by potential proponents. It is plausible that the requested documents may not have been readily available within the question response time frame and the User Agency's intent

Review Area	Risk/Criteria	Results	Resolved/ Remaining
		<p>equipment, tools, or supplies that will be turned over at transition, or provide any information about the square footage of buildings to be served or a recent fire systems inspection report until the contract is awarded. We note that the recommended award is not to the incumbent.</p> <ul style="list-style-type: none"> • Addendum #6 extended the proposal due date in the “requirement text” section (often called “Summary”) to 04/26/2019, but the date extension was omitted from the actual addendum document. In contrast, addenda #s 1,3,4 and 5 extended the due dates; these extensions were incorporated into the addenda. • The format of addendum #6 was inconsistent with DOP’s standard operating procedures. 	<p>was to ensure that the documents be available at the time the new contract is executed. As noted, the incumbent is not the proponent that was recommended for award. It is not uncommon to not provide the value of the existing contract in an effort to get proponents to conduct unbiased pricing determinations.</p> <ul style="list-style-type: none"> • 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.
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. 	No findings identified	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.	<ul style="list-style-type: none"> • One of the proponents listed a city employee as one of the key staff members in their proposal; however, this proponent checked “no” on questions 7 and 8 on Form 2 (Contractor Disclosure and Declaration Form), which requires a proponent to disclose whether any employee directly involved in the project 	<p>Resolved</p> <p>Based on the information we provided to DOP regarding the proponent, DOP found the proponent non-responsive. The proponent was also found non-responsive by OCC due to an unrelated issue.</p>

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		has a direct relationship with the city.	
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. 	No findings identified	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. 	No findings identified	N/A
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