



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#	1200049
Estimated Dollar Amount:	\$2,000,000
Type of Procurement:	Request for Proposals
Contract Description:	Annual Contract for Bill Printing Services
Requesting Department:	Department of Watershed Management
All Proponents:	Datamatx, Inc FormMaker Software Inc dba KuBra Data Transfer Ltd. Level One LLC Sebis Direct Inc Utilitec
DOP Responsive Proponents:	Datamatx, Inc
Recommended Awardee:	Datamatx, 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.	No findings identified	No response needed.
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 	No findings identified	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. 	DOP issued six addenda for this solicitation.	No response needed
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	No response needed

Review Area	Risk/Criteria	Results	DOP Response
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. 	<p>We concur with DOP's finding that four of five submissions were non-responsive. We found additional problems with two of the submissions not noted by DOP that do not change the outcome of the award.</p> <ul style="list-style-type: none"> • One proponent did not acknowledge four of six addenda on Form 5. • Another proponent provided safety forms only for the subcontractor. 	No response needed
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	No response needed
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. 	The Department of Watershed Management requested and received permission from the Department of Procurement to allow a city contractor to attend the Collaborative Scoring Session as a subject matter expert.	No response needed
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

Review Area	Risk/Criteria	Results	DOP Response
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)	Datamatx was the current vendor for bill printing during the solicitation. Five employees of Datamatx and three members of DWM's evaluation team communicated by email during the blackout period for this solicitation. The communications primarily involved monthly invoices for services and the 9-month extension of their current contract FC-7201. We identified no communication about this solicitation.	No response needed