



**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.

|                                   |   |
|-----------------------------------|---|
| <b>FC#</b>                        | 1200289   |
| <b>Estimated Dollar Amount:</b>   | \$35,000,000  |
| <b>Type of Procurement:</b>       | Invitation for Bid  |
| <b>Contract Description:</b>      | South Security Checkpoint Expansion   |
| <b>Requesting Department:</b>     | Department of Aviation  |
| <b>All Proponents:</b>            | Carroll Daniel/Moody, a Joint Venture<br>McCarthy-FS360 II, a Joint Venture<br>New South-Synergy, a Joint Venture |
| <b>DOP Responsive Proponents:</b> | Carroll Daniel/Moody, a Joint Venture<br>McCarthy-FS360 II, a Joint Venture<br>New South-Synergy, a Joint Venture |
| <b>Recommended Awardee:</b>       | New South-Synergy, a JV   |

**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.  | No findings identified   | N/A                |
| <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> | This solicitation was previously cancelled due to all proponents being found non-responsive. | No response needed |
| <b>Advertisement/<br/>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>                                  | DOP issued three addenda for this solicitation.  | No response needed |
| <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                |

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|-----------------------------|---|--|----------------------|
| <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. Although, it does not affect the outcome of the recommended award, IPRO identified deficiencies with following bidder submittals:</p> <p>Bidder #1 and #2<br/>Information on Subcontractors' Letters of Intent were in some cases incomplete, unsigned or contained inaccurate information.</p> <p>Bidder #1<br/>Majority partner's Form 2 was not signed by notary.</p> | No response required |
| <b>Conflict of Interest</b> | The city's standards of conduct prohibit employees from having financial conflicts of interest. Contracts must be awarded and administered free from improper influence or the appearance of impropriety.   | No findings identified   | N/A                  |
| <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                  |