



Independent Procurement Review Report

Why We Did This Review

In accordance with Atlanta City Charter Article 8, Section 8-107, the Independent Procurement Review Division of the Office of the Inspector General must 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#	RFP-S-1210033
Estimated Dollar Amount:	\$425,000 annually for three years with two one-year renewal options
Type of Procurement:	Request for Proposals
Contract Description:	Janitorial Services at H-JAIA
Requesting Department:	Department of Aviation
All Proponents:	A - Action Incorporated, Acsential Technologies, Inc., Building Maintenance Services, Inc., CMS America, Consolidated Facility Services, Imagann Cleaning Services, Marsh Cleaning Services, LLC., Metro Atlanta/The Cleaning Advantage, LLC., Smart Building Systems, Inc.
DOP Responsive Proponents:	A - Action Incorporated, Building Maintenance Service, Inc., Consolidated Facility Services, Marsh Cleaning Services, LLC., Metro Atlanta Janitorial/The Cleaning Advantage, LLC., Smart Building Systems, Inc.
Recommended Awardee:	A - Action Incorporated

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	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. 	No findings identified	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. 	DOP issued three addenda for this solicitation, in which they revised the scope of service and cost proposal, extended the due date, and answered proponents' questions	N/A

Review Area	Risk/Criteria	Results	DOP Response
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 proponent's compliance with those required documents. • Unclear or inconsistent responsiveness determinations could be a red flag of bid manipulation. 	<p>DOP received nine proposals for this solicitation. The CPO deemed six proponents responsive.</p> <p>Four of these six proponents failed to meet the Small Business Enterprise (SBO) requirements as noted by the Office of Contract Compliance (OCC).</p> <p>IPro found the following discrepancies with responsive proponents' submittals:</p> <p>Proponent 1 The recommended awardee failed to provide the following:</p> <ol style="list-style-type: none"> 1. A third reference (Form 5) as required by DOP. <p>Proponent 2 The proponent failed to provide the following:</p> <ol style="list-style-type: none"> 2. A copy of the joint venture agreement as required by DOP. 	<ol style="list-style-type: none"> 1. DOP found that the proponent provided three references within the Content of Proposal section; therefore, did not deem the proposal to be non-responsive. 2. Although the proponent formed a JV for the purpose of the solicitation, this project did not have a JV requirement. The proposal was determined to be responsive and submitted for further review during the evaluation process.
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). 	OCC rated a proponent, deemed responsive by DOP, with a score of zero on OCC's Memorandum. However, on the Collaborative Scoring Matrix, DOP rated the same proponent with a score of fifteen. The scores from DOP's Scoring Matrix should reflect the scores from OCC's Memorandum. The scores did not impact the outcome of the award.	N/A

Review Area	Risk/Criteria	Results	DOP Response
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