



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#	RFP-S-1210323
Estimated Dollar Amount:	\$2,370,000.00
Type of Procurement:	Request for Proposals
Contract Description:	Asset Management Consulting and Professional Services
Requesting Department:	Department of Aviation
All Proponents:	Atkins North America, Inc. AECOM Technical Services, Inc. Jacobs Engineering Group, Inc. Woolpert, Inc.
DOP Responsive Proponents:	Atkins North America, Inc. AECOM Technical Services, Inc. Jacobs Engineering Group, Inc. Woolpert, Inc.
Recommended Awardee:	Jacobs Engineering Group, 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	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 six addenda to extend the bid due date, answer questions, and remove and replace several forms: Appendix A, OCC Goals, the Contents of Proposal, the Cost Proposal, the Evaluation of Proposals, and the Submittal Checklist.	No response required
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	

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<p>Responsive Review</p>	<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 responses to this request for proposal and deemed all of the proponents responsive. However, IPro identified several discrepancies in three of the responsive proposals:</p> <p>Proposal A (1) The company representative signed but failed to date the Contractor Financial Disclosure Declaration (Form 3) as required by the solicitation. (2) The proponent submitted two references and the subcontractor provided a third reference. The solicitation requires the prime contractor to submit three references (Form 5 - Reference List).</p> <p>Proposal B (3) The proponent failed to disclose a bankruptcy as required (Form 3 - Contractor Financial Disclosure Form). IPro also identified additional undisclosed lawsuits filed against the proponent, dating from February 2017 to August 2020.¹ (4) The proponent provided only one point-of-contact; the solicitation requires a minimum of two points-of-contact (Form 4 Offeror Contact Directory).</p> <p>Proposal C IPro identified a lawsuit filed against the company in August 2017.²</p>	<p>Proposal A (1) DOP's determination for responsiveness included reviewing Form 3 and 3 years of financials. The missing date was not determined to be a sufficient reason to deem the supplier to be non-responsive. The financials were forwarded to Risk for an in-depth review and assessment. Risk determined that the information was sufficient for evaluation. (2) DOP's review of Form 5 confirmed that three references were provided to substantiate their ability to perform the services. The third reference by the subcontractor was not determined to be a sufficient reason to deem the supplier to be non-responsive.</p> <p>Proposal B (3) The information identified by IPRO that the Supplier had filed for Bankruptcy was reviewed by DOP and not deemed sufficient to identify the Supplier as "non responsible". (4) DOP's review of Form 4 revealed that two sources of contact were provided by the contractor.</p> <p>Proposal C (5) The information identified by IPRO that the Supplier had a lawsuit filed against them in 2017 was not included in DOP's determination for responsiveness. DOP's determination of responsiveness is based on the submission of Form 3 and 3 years financials. The Proponent met these conditions and the response was forwarded to Risk for an in-depth review</p>

¹ While DOP's Form 3 no longer requires proponents to disclose pending or closed litigation, because litigation poses a risk, IPro's testing includes identifying undisclosed lawsuits within the last five years.

² Id.

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			and assessment. Risk determined that the information was sufficient for evaluation and did not deem the Supplier to be “non responsible”.
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). 	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