



To: APOs & CUPOs

AUD #19-05

CC: Lisa Eason, Deputy Commissioner, State Purchasing Division
Mary Chapman, Director of Policy, Training and Outreach

From: Audits, State Purchasing Division

Date: March 5, 2019

Re: Audit of Georgia Procurement Registry (GPR) solicitation posting times

Conclusion

Our audit found that over 99% of the awarded Sole Source (SS), Requests for Proposals (RFPs) and Request for Quotations (RFQs) solicitations for fiscal years 2017 and 2018 were posted on the GPR for the required period. There was no evidence of solicitations being closed early on the closing date after having been posted late on the opening date. The review also noted that the Notice of Intent to Award (NOIA) (when required) and the Notice of Award (NOA) are not consistently being posted to awarded events on the Georgia Procurement Registry (GPR).

Background

According to section 3.5.2.1 of the *Georgia Procurement Manual (GPM)*, “the posting and closing dates of a solicitation are used to determine the total public posting period. Solicitations must remain publicly posted for a minimum period depending on the estimated dollar value of the contract”. The minimum required posting periods vary slightly by solicitation type. See sections 2.3.2.2 and 3.5.2.1 of the *GPM* for details.

Audit Summary

The figures show that over 50% of the solicitations posted in fiscal year 2017 and fiscal year 2018 were RFQs. Overall, RFQs, SS, and RFPs account for over 90% of all postings to the GPR. For a complete breakdown of solicitations by type, please see **Table 1** below.

To determine the level and amount of compliance with the audit objectives, this review examined only awarded solicitations. For each of the fiscal years reviewed, roughly 70% of solicitations were awarded while 12% were cancelled. For a complete breakdown of solicitations by status, please see **Table 2**.

Audit Objectives

1. Was the solicitation posted for the correct period?
2. Are related posting period procedures being adhered to?
3. Are solicitations being closed early on the closing date after having been posted late on the opening date?

Table 1
Solicitations by Type by Fiscal Year

Solicitation Type	2017	2018	Total
RFQ	1,197	1,169	2,366
Sole Source	595	570	1165
RFP	185	186	371
RFQC	77	55	132
Consortia	51	55	106
RFI	20	21	41
Notice	4	0	4
Total	2,129	2,056	4,185
Source: Georgia Procurement Registry (GPR)			

Table 2
Solicitations by Status by Fiscal Year

Solicitation Type	2017	2018	Total
Awarded	1,151	1,421	2,572
Cancelled	261	248	509
Under Evaluation	197	243	440
Notice of Intent to Award	101	110	211
Completed	11	8	19
Rebid	6	7	13
Closed	2	3	5
Save		8	8
SaveApproveAPO		7	7
Open		1	1
Total	2,129	2,056	4,185
Source: Georgia Procurement Registry (GPR)			

Of the 2,572 solicitations awarded, we only identified six which did not appear to be posted for the minimum period required. For these six solicitations, we contacted the appropriate purchasing official for an explanation. No material noncompliance issues were found with these solicitations. The audit also did not find any instances where state entities were posting late (e.g. after 5 pm) on the first day of the notice period and closing early (e.g. before 9 am) on the last day of the notice period. Such a practice would meet the letter of the posting requirements (since the solicitations would be posted the correct number of days) but not the intent since the postings would not be posted for the entire intended period. No evidence was found of state entities using this practice.

Recommendation

In order to ensure that all interested and participating suppliers are informed of, and have access to, solicitation award information, APOs and CUPOs are reminded of the requirements in *GPM* regarding the posting of the NOIA and NOA.

As per section 6.2.2.1:

The Notice of Intent to Award (NOIA) is the state entity's official public announcement of its intended contract award to the identified apparent successful supplier(s). The NOIA also identifies the amount of

the intended contract award, the names of all suppliers whose responses were rejected, and the reasons for rejection of the unsuccessful supplier. The NOIA is publicly posted before a contract award is made.

Once the NOIA is published, the protest filing period begins and no contract award may occur until after at least 10 calendar days have passed from the publication of the NOIA. In the event a protest is received during the 10-calendar day filing period, contract award will be delayed except as otherwise approved by the State Purchasing Division Deputy Commissioner.

The NOIA must be completed and posted as follows:

NOIA Posting Policy	
If the RFQ/RFP was sourced using ...	Then, the issuing officer must...
eSource	Follow the prompts within eSource to create and post the NOIA .
Team Georgia Marketplace™	Complete SPD-AP004 Notice of Intent to Award and post to GPR.
The GPR directly (i.e., a non-electronic bidding process)	Complete SPD-AP004 Notice of Intent to Award and post to GPR.

As per section 6.2.2.2:

The Notice of Award (NOA) is the state entity's official announcement of actual contract award to the identified supplier(s). The NOA also identifies the amount of the actual contract award, the names of all suppliers whose responses were rejected, and the reasons for the rejection of the unsuccessful suppliers. The NOA must be publicly posted within one day of contract award (i.e., issuing a purchase order to the supplier and/or executing a contract). The NOA is mandatory for announcing any and all awards resulting from solicitations regardless of the dollar amount.

For all contracts with an estimated value of \$100,000.00 or more, the NOA may not be issued prior to the expiration of the protest filing period and the resolution of any protests received except as permitted by Section 6.5.5. - Stay of Procurement During Protest Review.

The NOA must be completed and posted as follows:

NOA Posting Policy	
If the RFQ/RFP was sourced using ...	Then, the issuing officer must...
eSource	Follow the prompts within eSource to create and post the NOA .
Team Georgia Marketplace™	Complete SPD-AP005 Notice of Award upload to Team Georgia Marketplace™ then post to GPR.
The GPR directly (i.e., a non-electronic bidding process to include posting a Sole Source or a Consortia/Cooperative Purchase notice)	Complete SPD-AP005 Notice of Award and post to GPR.