



To: APOs & CUPOs

AUD #24-50

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

From: Audits, State Purchasing Division

Date: January 10, 2024

Re: Audit of Georgia Procurement Registry (GPR) solicitation statuses

Conclusion

The majority (94%) of the postings and solicitations posted to the Georgia Procurement Registry (GPR) in fiscal years 2021 through 2023 have an event status on the GPR, which reflects the actual status of the solicitation or posting. However, approximately 6% of the solicitations and postings had a status that was either incomplete, incorrect, or needed to be updated. We did not uncover any fraud related to the status of solicitations in the GPR.

Background

The GPR serves as the State of Georgia's central bid registry. In accordance with the State Purchasing Act, DOAS is required to maintain the GPR, and all state entities must report bid opportunities through the GPR in accordance with DOAS' rules (O.C.G.A. §50-5-69 (b)). Georgia law also mandates public notice of the results of competitive sealed bidding through a Notice of Intent to Award (NOIA) and Notice of Award (NOA), as applicable for awards of \$100,000 or more (O.C.G.A. § 50-5-67 (d)(1)). DOAS has issued rules governing the public notice process through the Georgia Procurement Manual (GPM). Section 6.2 of the GPM requires state entities to publish the results of the evaluations of all Request for Proposals (RFP), Request for Quotes (RFQ), and Request for Qualified Contractors (RFQC). The public notice of the completion of the evaluation process is accomplished via the posting of the NOIA¹ or the NOA or both by the Issuing Officer (IO). At this stage, the protest period begins, and interested suppliers may review the published results as per section 6.4 of the GPM. If a contract is awarded and the solicitation status is not updated from "under evaluation" to "NOIA/NOA" on the GPR, suppliers may miss the opportunity to participate in the respective part of the protest process as per section 6.5 of the GPM.

In addition to solicitations, the GPM requires certain notices or postings be made on the GPR, such as sole source purchases, use of consortia, and Request for Information (RFI). Section 2.3.2.2. of the GPM requires state entities to "provide public notice of the intended sole-source purchase or contract through a posting to the GPR." Section 1.3.4.4. of the GPM requires the state entity "must publicly advertise its intent to contract with the consortium-approved/cooperative-approved supplier" on the GPR.

¹ As per section 6.2.2.1. of the GPM, attachment of the NOIA is recommended as a best practice for all solicitations but is only mandatory for solicitations with an annual contract value of \$100,000 or more.

The final stages of these processes similarly include

- the posting of a public notice of intent² on the GPR to use either the consortia or cooperative contract or purchase from a sole source,
- a protest period, and if the procurement is not successfully challenged by a protest,
- the posting of an NOA on the GPR.

Finally, Section 2.2.3.2. of the GPM provides the process to be followed when posting an RFI. Since this is not a competitive solicitation method, there is no respective award process that is required to be followed. The use and posting of “Notices” to the GPR is a completely optional process that state entities may use for their convenience. It is neither governed nor guided by any rules or processes in the GPM.

Audit Objectives

1. What is the status of the solicitations posted in fiscal years 2021, 2022, and 2023?
2. Which solicitation types are still under evaluation, in NOIA status, or otherwise appear to be incomplete or incorrect?
3. Which state entities account for the most solicitations with statuses that appear to be incomplete or incorrect?
4. Which IOs account for the most solicitations and postings which appear to be incomplete or incorrect?

Audit Summary

We found 315 out of the 5,707 postings and solicitations³ posted during the review period (fiscal year 2021 through fiscal year 2023) looked to be incomplete, incorrect, or needed to be updated. Of the 315, there were:

- 311 in either “Notice of Intent to Award” status (157) or “Under Evaluation” status (154). Based on the closing dates of these events, these events appear to have been awarded or otherwise completed.
- Four with a status, which appears to be incorrect based on the solicitation process and the event closing date. This status was “Rebid” (4). These events appear on the GPR if a search is done under the event status of “All.”

There were approximately 315 solicitations or postings or 5% of the total events posted to the GPR, which have an event status that does not accurately reflect the actual status of the event.

For those procurements that were awarded, there are associated risks with having an incomplete status listed on the GPR, such as failure to notify suppliers of an intent to award and thereby missing an opportunity to protest in a timely manner. The number of solicitations by status is shown below in

Table 1.

² This published notice serves as, and fulfills, the NOIA stage of the process.

³ These were solicitations under the purview of DOAS.

Table 1
Solicitations by Current⁴ Status by Fiscal Year (a)

Status	2021	2022	2023	Total	Percent of Total
Awarded	1,659	1,581	1,424	4,664	82%
Cancelled	183	228	266	677	12%
Notice of Intent to Award	43	54	60	157	3%
Under Evaluation	10	51	93	154	3%
Completed	22	14	11	47	0.82%
Rebid	1	2	1	4	0.07%
Closed	2	2	0	4	0.07%
Total	1,920	1,932	1,855	5,707	100%
<u>Notes</u>					
(a) The posting date was used to determine the fiscal year.					
Source: Georgia Procurement Registry					

The statuses of the solicitations by solicitation process are summarized in the following paragraphs.

Request for Quote (RFQ)

There were 2,730 solicitations classified as an RFQ under the purview of DOAS. Of these 2,730 solicitations, 114 (4%) have a status which does not appear to be complete. These solicitations need to be reviewed by the state entity to determine if the status needs to be updated. These 114 solicitations were between 103 and 1,155 days past their closing date (as of November 8, 2023). The statuses of these 114 RFQs were as follows:

- 75 solicitations had a status of “Under Evaluation”. The estimated amount of these solicitations totaled \$47.1 million; 35 (47%) of these solicitations were past their closing date by more than one year.
- 35 solicitations had the status of “Notice of Intent to Award”. The estimated amount of these solicitations totaled \$132.4 million; 24 (69%) of these solicitations were past their closing date by more than one year. The audit team reviewed the documentation posted on the GPR for all of these solicitations and found:
 - 12 had an NOIA posted
 - nine had an NOA posted;
 - eight appear to be RFQCs;
 - four had no NOIA posted;
 - and, two had a bid tabulation posted but no NOIA.
- Four had a status of “Rebid”.

We are unable to determine if any of the 26 solicitations may have been awarded that did not have an NOA posted.

⁴ Solicitation status current as of November 8, 2023 when the report data was obtained from the GPR.

Sole Source

There were 1,916 postings classified as a sole source under the purview of DOAS. Of these 1,916 postings, 72 (4%) have a status, which does not appear to be complete or correct. These solicitations need to be reviewed by the state entity to determine if the status needs to be updated. These 72 postings were between 7 and 1,204 days past their closing date (as of November 8, 2023). The statuses of these 72 sole sources were as follows:

- 72 postings had a status of “Notice of Intent to Award”. The estimated amount of these postings totaled \$40.6 million; 50 (69%) of these postings were past their closing date by more than one year.

Request for Proposal (RFP)

There were 471 solicitations, which were classified as an RFP under the purview of DOAS. Of these 471 solicitations, 56 (12%) have a status, which does not appear to be complete. These solicitations need to be reviewed by the state entity to determine if the status needs to be updated. These 56 solicitations were between 97 days and 1,197 days past their closing date (as of November 8, 2023). The statuses of these 57 RFPs were as follows:

- 30 had the status of “Notice of Intent to Award”. The estimated amount of these solicitations totaled \$1.6 billion; 20 (67%) of these solicitations were past their closing date by more than one year. The audit team reviewed the documentation posted on the GPR for these solicitations and found:
 - 21 remained in NOIA status and had an NOIA posted,
 - six appear to be a hybrid version of an RFQC and an RFP; these had award information posted in the GPR,
 - three had an NOA posted.
- 26 had the status of “Under Evaluation”. The estimated amount of these solicitations totaled \$73.8 million; 10 (38%) of these solicitations were past their closing date by more than one year. The audit team reviewed the documentation posted on the GPR for these solicitations and found:
 - 17 remained in “Under Evaluation” status and had no further documents posted,
 - four had an NOA posted,
 - three had an NOIA posted,
 - two had a cancellation notice posted.

Consortia

There were 383 postings, which were classified as a consortium under the purview of DOAS. Of these 383 postings, 12 (3%) had a status of “Notice of Intent to Award”, which does not appear to be complete. These postings need to be reviewed by the state entity to determine if the status needs to be updated. The 12 postings were between 103 and 1,114 days past their closing date (as of November 8, 2022). The audit team reviewed the documentation posted on the GPR and found the 12 postings had the notice to use a consortium or cooperative purchasing agreement (SPD-NI007) uploaded to the GPR, but none had an NOA posted.

Request for Qualified Contractors (RFQC)⁵

Section 2.4.3.1. of the GPM covers the RFQC method, where a “procurement professional issues an RFQC to solicit responses from qualified suppliers. Suppliers are evaluated based on their ability to meet or exceed the identified qualification criteria. The results of the prequalification process are published.” As RFQCs do not result in contract award⁶ notice of the results of the prequalification process should be published through form SPD-AP008 RFQC List of Qualified Contractors.

There were 139 solicitations classified as an RFQC under the purview of DOAS. Of these 139 solicitations, 44 (32%) have a status, which does not appear to be complete or correct. These solicitations need to be reviewed by the state entity to determine if the status needs to be updated. These 44 solicitations were between 99 and 978 days past their closing date (as of November 8, 2023). The statuses of these 44 RFQCs were as follows:

- 35 solicitations had the status of “Under Evaluation”. The estimated amount of these postings totaled \$79.9 million; 27 (77%) of these postings were past their closing date by more than one year. The audit team reviewed the documentation posted on the GPR for eight of these solicitations and found four had a list of qualified suppliers uploaded to the GPR. These solicitations appear to have been completed.
- Eight solicitations had the status of “Notice of Intent to Award”. The audit team reviewed the documentation posted on the GPR for these solicitations and found all had a list of qualified suppliers posted on the GPR.
- There was one solicitation where the status appeared to be incorrect. This solicitation showed the status of “Closed”. The closed status is for solicitations where no suppliers submitted a response; in this instance there was at least one response to the solicitation and a list of qualified suppliers was posted to the GPR.

Request for Information (RFI)

Section 2.2.3.2. of the GPM defines a RFI as “a semi-formal method for requesting information from suppliers who have knowledge or information about an industry, goods, or services.” The RFI “is not a competitive solicitation method and, as a result, does not satisfy the requirement for competitive bidding.” Consequently, no award is made. The RFI is posted for any period deemed desirable by the procurement professional.”

There were 60 postings classified as an RFI under the purview of DOAS. Of these 60 postings, 18 (30%) have a status, which does not appear to be complete. These postings need to be reviewed by the state entity to determine if the status needs to be updated. The 18 postings were between 110 and 1,136 days past their closing date (as of November 8, 2023). The statuses of these 18 RFIs were “Under Evaluation”. It was unclear how many of these where the status of under evaluation was not correct; nine of these solicitations were past their closing date by more than one year.

⁵ The GPM refers to this process as Request for Qualified Contractors whereas on the GPR it is known as Request for Qualified Companies.

⁶ RFQCs do not result in a contract award, except those pre-approved by SPD in accordance with GPM Section 2.4.3.2. – Other Prequalification Methods.

There were 16 (26%) postings, which show a status of “awarded”. Since an RFI is not a competitive process, the status of “awarded” is technically incorrect; however, this is the only final status available in PeopleSoft.

Solicitations Needing Review

Across all fiscal years, we found 316 solicitations or postings where the status appeared to be incomplete, incorrect, or needed to be updated. These solicitations and postings are summarized by solicitation process in **Table 2**.

Table 2
Solicitations needing review by solicitation process

Solicitation Process	Number of solicitations needing review	Total solicitations	Percent Needing review
RFQ	114	2,730	4%
Sole Source	72	1,916	4%
RFP	56	471	12%
RFQC	44	139	32%
RFI	18	60	30%
Consortia	12	383	3%
Notice	0	8	0%
Total	316	5,707	6%
Source: Georgia Procurement Registry			

The state entities with the most solicitations and postings, which need to be reviewed by the state entity, to determine if the status needs to be updated are summarized in **Table 3**.

Table 3
Solicitations and postings needing review
(State entities with 10 or more)

State Entity	2018	2019	2020	Total
Georgia Institute of Technology	27	36	40	103
Georgia State University	5	28	24	57
DBHDD	6	10	3	19
Albany State University	0	2	10	12
Georgia Southern University	0	5	5	10
Source: Georgia Procurement Registry				

In closing the audit, we also looked at which Issuing Officers (IOs) accounted for the most solicitations with a status, which needed further review. There were seven IOs who had 10 or more solicitations with a status, which required further review.

Recommendations

1. To avoid the risks associated with inaccurate and incomplete solicitation statuses, APOs and CUPOs are reminded to review chapter 6 “Award Process” of the GPM with staff involved in the posting and processing of solicitations and to ensure that the status of their solicitations is kept current, accurate and complete in relation to the respective award stage of the event.
2. In future system enhancements to the GPR, or with the configuration of the current sourcing system or implementation of a new sourcing system, consideration should be given to removing the status of “Awarded” for RFIs since no award is being made through these postings.