

New lawsuit takes on Augusta's purchasing rules

By **Sandy Hodson** | *Staff Writer*
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The city of Augusta has been hit with yet another lawsuit alleging that its purchasing rules are applied unfairly.

The Alison Group filed a federal lawsuit against the city last week seeking to void the contract the city gave to another marketing firm for Augusta Regional Airport's advertising services.

The city will have 20 days to respond to the suit.

The lawsuit -- filed Thursday -- concerns the advertising contract that was put out to bid in January. The suit alleges that although the company was told it had made the short list and would be interviewed by a selection committee, it heard nothing further until August, when Procurement Director Geri Sams wrote to say Hall Marketing had been awarded the contract.

According to city records available through its Web site, Hall Marketing and the Alison Group were the only two qualified bidders. Though the Alison Group contends it was never afforded an interview, according to public documents its bid and Hall's bid were scored 75.4 and 98.2, respectively.

The Alison Group alleges that Hall Marketing's bid should have been rejected because the company did not meet the city's strict materiality provision, which requires bidders to submit bids that conform perfectly with the city's request.

The Alison Group alleges that Hall Marketing didn't affix its corporate seal to one of the documents the city required. The lawsuit cites 28 bids thrown out by the procurement department for the same error.

"Alison, as well as the taxpayers ... have no adequate legal remedy for the senseless and unlawful waste of public funds by the defendant," reads the lawsuit filed by attorney Robert A. Mullins.

At least five other lawsuits have been filed against the city over procurement issues since 2006.

The city has spent hundreds of thousands of dollars defending these lawsuits -- \$174,000 alone to defend a disparity study in 2007, even though commissioners learned a year earlier that the study wouldn't withstand a constitutional challenge. The next year, the city spent more than \$50,000 battling open records challenges dealing with access to procurement records.

Hall Marketing has had a contract to provide advertising services for Augusta Regional Airport since 2003. Attempts by The Augusta Chronicle to review the complete, original bid documents were unsuccessful because city employees could not find them.

In 2007, the city paid Hall Marketing more than \$258,000 for the airport's advertising services.

According to the bid submitted by Hall Marketing this year, it will charge \$110 an hour for the marketing strategy down to \$30 an hour for clerical work.

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