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October 21, 2011

VIA ELECTRONIC AND U.S. MAIL

Ms. Maria Saporta
Mr. David Pendered
SaportaReport.com
191 Peachtree St., Suite 3300
Atlanta, Georgia 30303

Ms. Saporta and Mr. Pendered,

I write regarding the article titled "Airport concessions: Proposal due soon after two firms botched paperwork" by David Pendered, dated October 17, 2011, and published on the SaportaReport web site, www.saportareport.com. I am concerned that several misrepresentations of fact remain in this article and respectfully request your immediate attention to this matter.

As you know, Peter Aman, the City of Atlanta's Chief Operating Officer, and Sonji Dade, the City's Director of Communications, spoke with Mr. Pendered on October 18, 2011, to address several factual inaccuracies and misrepresentations contained in the article. Based on that meeting, you have added a note at the end of the article that contains certain clarifications offered by Mr. Aman regarding the number of companies providing deficient responses to the airport concessions Request for Proposal ("RFP"), the subsequent decision of the City's Chief Procurement Officer to cancel and reissue the RFP, and the fact that Mr. Aman did not know the names of companies whose proposals were deemed non-responsive. While we appreciate your efforts in providing these clarifications to your readers, there are still several factual inaccuracies in the article that require correction and/or retraction. The assertions requiring action are as follows:

1. "Atlanta cancelled its airport procurement program Sept. 2 and required every company to submit new bids, regardless of whether their proposals were flawed."
 - o While the implication that the City will not simply transfer previously submitted proposals to the new solicitations may be accurate, Atlanta does not require anyone to submit a bid. It is entirely up to potential proponents to determine whether or not to participate in the City's procurement process.

2. "One of the two companies is trying to break into Atlanta's airport: Delaware North, one of the nation's larger vendors."
 - o Delaware North has had a significant presence at the Airport in the form of CA One, a subsidiary of Delaware North, which was the Airport's third-party concessions management company from October 1995 through October 2005.
3. "A total of 12 vendors will control all of the 125 food and beverage sites at the airport, plus 27 retail shops, if the procurement is completed as now planned."
 - o Based on the award limitations contained in the various RFPs, there may be a minimum of 7 and a maximum of 12 total Food & Beverage and Retail Concessionaires.
4. "The process for reviewing the proposals due next week calls for them to be vetted by a panel of airport officials and a consultant."
 - o The process calls for independent and collaborative evaluation by Airport employees who will make a recommendation to the Airport General Manager based on the evaluation criteria contained in the Atlanta City Code and applicable RFPs. The Airport General Manager will then make a recommendation to the Department of Procurement.

Now that you are aware of these remaining inaccuracies, we ask that you make any and all necessary edits to ensure Mr. Pendered's article is factual and does not mislead the public in any way.

In addition to the above-listed inaccuracies, we remain concerned that the article, which notably fails to cite sources to support the bulk of its allegations, continues to create the false impression that the cancellation of the airport concessions RFP was based solely on the responses of only two companies when the City has repeatedly made clear that the decision was based on the fact that 41 of the 95 proposals were deemed non-responsive. The unsupported lead statement in the article that "[b]otched paperwork by two corporations fueled the decision by Atlanta to rebid the entire concessions package at the airport" is therefore misleading and does a disservice to the public and to the City. Accordingly, in addition to publishing the corrective statements above and those previously published, we request revision or retraction of that statement.

We look forward to receiving confirmation that you will take the corrective action respectfully requested in this letter by the close of business Monday, October 24. As your "Pledge to Readers" states that you "will strive to maintain high journalistic standards," we trust that you and your publication will take greater care to ensure the accuracy of statements made in its future reporting. Thank you in advance for your cooperation.

Sincerely,



Eric A. Richardson
Deputy City Attorney

cc: Peter Aman, Chief Operating Officer
Sonji Dade, Director of Communications
Cathy Hampton, City Attorney
Louis Miller, Aviation General Manager
Adam Smith, Chief Procurement Officer