

LETTER REPORT TO GOVERNOR BREDESEN  
DEPARTMENT OF TOURIST DEVELOPMENT  
ACKERMANN PR CONTRACT  
NEWS PRODUCTION AND DISTRIBUTION SERVICES

MAY 18, 2005



STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY

State Capitol  
Nashville, Tennessee 37243-0260  
(615) 741-2501

John G. Morgan  
Comptroller

May 18, 2005

The Honorable Phil Bredesen, Governor  
State Capitol  
Nashville, Tennessee 37243

Dear Governor Bredesen:

Transmitted herewith is the report prepared by the Division of State Audit regarding the contract for News Production and Distribution Services that had been awarded by the Department of Tourist Development to Ackermann PR, a marketing communications firm based in Knoxville, Tennessee. Division of State Audit staff conducted the fieldwork in consultation with the staff of the Attorney General's Office. Staff of the Attorney General's Office also reviewed the draft report and procurement/contract documentation.

Sincerely,

A handwritten signature in black ink that reads "John G. Morgan".

John G. Morgan  
Comptroller of the Treasury

A handwritten signature in black ink that reads "Paul G. Summers".

Paul G. Summers  
Attorney General

JGM/PGS/gmk



**STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
DEPARTMENT OF AUDIT  
DIVISION OF STATE AUDIT  
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May 18, 2005

The Honorable John G. Morgan, Comptroller  
State Capitol  
Nashville, Tennessee 37243

and

The Honorable Paul G. Summers, Attorney General  
425 5<sup>th</sup> Avenue  
Nashville, Tennessee 37243

Gentlemen:

On May 5, 2005, at the request of the Governor's Office, Division of State Audit staff initiated a review of the procurement process relating to the contract for News Production and Distribution Services that had been awarded by the Department of Tourist Development to Ackermann PR, a marketing communications firm based in Knoxville, Tennessee. The auditors conducted the fieldwork in consultation with staff of the Attorney General's Office. Staff of the Attorney General's Office also reviewed this letter report in draft.

The request followed a "News Channel 5 Investigates" report by investigative reporter Mr. Phil Williams, which aired on May 3, 2005. Mr. Williams' report questioned the propriety of the contract award to Ackermann PR on the grounds that Ms. Cathy Ackermann, the President and CEO of Ackermann PR, had recommended Ms. Susan Whitaker for her current position as Commissioner of Tourist Development, and then Ms. Ackermann's firm later received the contract; only a handful of Tennessee's PR firms were invited to bid; and one evaluator scored Ackermann PR so high and the closest competitor so low that he single-handedly gave the contract to Ackermann PR. The investigative report included the information that the evaluator, a former Assistant Commissioner with the department, denied any pressure or intention to skew the outcome of the bidding process. The investigative report also included the observation that public relations representatives stated that they did not normally check the state's website for RFPs.

Based on presently available information, there was no evidence of improper influence or pressure in the selection of Ackermann PR.

This review was solely of the procurement process that resulted in the award of the contract for News Production and Distribution Services to Ackermann PR. This review did not include examining Ackermann PR's billings or contract performance.

This review included determining the relevant statutory and policy requirements pertaining to procurement through the Request for Proposal (RFP) process. The auditors examined the RFP and other documentation maintained by the department, including the RFP schedule of events, vendor list, notice of request for proposals, pre-proposal conference questions and answers, proposals, technical evaluation scores, cost scores, proposal score summary matrix, contract award, contract terms and conditions, and contract extension. The auditors also reviewed documentation related to invoices from and payments to Ackermann PR.

The auditors interviewed Commissioner Whitaker as well as Mr. Tom Lightsey, the department's Assistant Commissioner for Administration and the RFP coordinator for the contract. According to department staff, four proposals were received in response to the department's RFP. The bids were evaluated by three department staff: Mr. Derrick Smith, Regional Marketing and Public Relations Manager; Mr. Francis Eagle, then the department's Assistant Commissioner of Marketing; and Mr. Mark Thein, then the department's Director of Communication. Mr. Smith, Mr. Eagle, and Mr. Thein were interviewed as part of this review. The auditors also interviewed Ms. Cathy Ackermann, the President and CEO of Ackermann PR.

The department issued the RFP for News Production and Distribution Services on December 19, 2003, by sending a "Notice of Request for Proposals" to nine vendors and posting the RFP on the state's website at <http://www.state.tn.us/finance/rds/ocr/rfp.html>. The proposal deadline was January 26, 2004, at 2:00 p.m. Four firms submitted bids by the January 26 deadline: (1) Ackermann PR; (2) Dye, Van Mol and Lawrence, Inc.; (3) Katcher Vaughn & Bailey; and (4) WestRogers Strategic Communications.

As part of the standard procurement process, each firm made an oral presentation and submitted both a written technical proposal and a separate sealed cost proposal to the department. Three department staff had been selected by the RFP coordinator to evaluate the oral presentations and the written technical proposals based on their experience and level of responsibility in the department. The Commissioner apparently did not select the evaluators. There did not appear to be anything unusual about this selection of evaluators. The department's three evaluators completed their evaluations and scoring of the technical proposals and oral presentations of service capabilities by February 11, 2004. On February 11, Mr. Lightsey, the RFP coordinator, who was not one of the evaluators, opened the cost proposals, calculated the cost scores, and prepared the proposal score summary matrix.

On February 12, 2004, Mr. Lightsey informed Commissioner Whitaker in writing that the evaluation process had been completed and that the proposer with the highest score was Ackermann PR. Also on February 12, the Commissioner sent a written Evaluation Notice to each of the firms that had submitted a bid. That notice contained the statement that Ackermann PR “is the apparent best evaluated proposer that the state will consider for contract award.” That same day, department staff opened the RFP files so they were available for public inspection. No protests were filed regarding the procurement process or the contract award.

The contract term was for the period commencing on March 2, 2004, and ending on March 1, 2005. The maximum liability of the state was set at \$360,000. The contract was executed by Ackermann PR, the Department of Tourist Development, the Department of Finance and Administration, and the Comptroller of the Treasury. About nine months later, the contract term was extended to March 1, 2006, and the maximum liability of the state was raised to \$720,000 for the contract in its entirety. Pursuant to Section B.2 of the contract, as advertised in the *pro forma* contract attached to the RFP, the state reserved the right to extend the contract for an additional period or periods of time representing increments of no more than one year and a total contract term of no more than five years.

For the period March 2004 through February 2005, Ackermann PR submitted 56 invoices totaling \$359,079.38, and the department paid the full amount.

Based on presently available information, which was derived from review procedures considered appropriate under the circumstances and in light of the expedited review requested by the Governor’s Office, the auditors concluded the following:

- Department officials issued the RFP, evaluated the bids, and awarded the contract in full compliance with state law, policies and procedures, guidelines, and recommended time schedule and evaluation forms. There was no evidence available to the auditors that the contract was improperly awarded.
- The three evaluators stated that they were not influenced or pressured directly or indirectly by anyone during their evaluations of the four submitted bids.
- The three evaluators stated that they did not improperly adjust their scores either up or down to favor one firm over another. Instead, the three evaluators stated that they each independently evaluated the four bids and that they each based their scores on the merits of the bids.
- The three evaluators stated that they did not discuss their scores among themselves or with others at any time during the scoring process. Consequently, no evaluator knew the scores of the other evaluators.

- The three evaluators stated that they independently submitted their scores to the RFP coordinator.
- The three evaluators stated that they scored the presentations and the technical proposals, but not the cost proposals. The presentation and technical components constituted at most 70% of the total possible score.
- The cost proposals, which included staff levels, hourly rates, and specified weighting factors, were sealed and submitted separately by the bidders. The RFP coordinator, not the evaluators, calculated the cost scores based on a specified methodology, which was mathematical and left no room for judgment. The cost proposal constituted at most 30% of the total possible score.
- The three evaluators and the RFP coordinator stated that the cost scores were not shared with the evaluators prior to the contract award.
- According to the three evaluators and the RFP coordinator, the RFP coordinator, not the evaluators, prepared the final scoring (the proposal score summary matrix), which showed that Ackermann scored the highest at 90.7, and the next closest competitor, Dye, Van Mol and Lawrence, scored 87.3, a difference of 3.4. The remaining two bidders, Katcher Vaughn & Bailey and WestRogers, were scored 67.4 and 65.4, respectively.
- Therefore, based on the statements by the three evaluators and the RFP coordinator and review of supporting documentation, and in light of the independent scoring of the various components of the proposals as well as the mathematical determination of costs, it does not appear that either Commissioner Whitaker or the Ackermann PR firm influenced or pressured the three evaluators or the RFP coordinator to award the contract to Ackermann PR.
- Ackermann PR's interactions with the department appeared proper and included (a) proposing the news bureau concept in June 2003, and (b) submitting a bid in January 2004 when the department issued an RFP. Ackermann PR was ultimately the winning bidder.
- As shown on the proposal score summary matrix, evaluator C scored the Ackermann PR proposal at approximately the same level as evaluators A and B. However, evaluator C scored all three of the other proposals lower than evaluators A and B. Because evaluator C was not privy to A's and B's scores, and because evaluator C also was not privy to the cost proposal scores, which were calculated separately, independently, and after his scores had been submitted to the RFP coordinator, evaluator C could not have known the specific effect his scoring would have had on the ultimate award.

- The RFP coordinator issued the “Notice of Request for Proposals” to nine PR vendors and he also submitted the RFP electronically to the Department of Finance and Administration’s Office of Contracts Review (OCR). The RFP was then posted on OCR’s website. According to the RFP coordinator, he selected the nine vendors based on his review of the “public relations counseling” service registry maintained by OCR, which contained names, addresses, and limited business information for companies that had registered with the state, and on recommendations from some of the evaluators. The RFP coordinator stated that he searched for firms that were in the categories “small business,” “minority/disadvantaged,” and “in state.” He stated that he also endeavored to obtain representation from each of the grand divisions of the state. As of May 16, 2005, the public relations counseling service registry contained information on 35 companies, 23 in state and 12 out of state. Five in-state companies on the service registry were included on the vendor list.
- Neither state law nor policy sets a minimum number of vendors to whom RFPs should be issued. Sending an RFP notice to nine vendors appears reasonable.
- Because (a) the RFP notice was sent to nine vendors; (b) the RFP was posted on OCR’s website, which was accessible by firms with Internet connectivity (the state’s website search engine directs users to the correct field by using the letters “RFP”); and (c) the RFP was available on the website for 39 days, the department acted appropriately in distributing the RFP and making it publicly available in compliance with applicable policies.
- Both Ms. Whitaker and Ms. Ackermann described their relationship as one of business associates, where each respected and liked the other, but not personal friendship.
- Both Ms. Whitaker and Ms. Ackermann stated that Ms. Ackermann suggested to Ms. Whitaker that she apply for the position of Commissioner of the Department of Tourist Development. Ms. Ackermann stated that she contacted a member of the Governor’s transition team regarding Ms. Whitaker. Subsequently, Ms. Whitaker submitted her resume for consideration, was interviewed by the transition selection committee, and was selected by Governor Bredesen. There was no evidence that the selection of Ms. Whitaker for Commissioner of Tourist Development involved any undue influence.

This review resulted in ten recommendations pertaining to state procurement practices designed to improve documentation, enhance transparency, and further systematize the procurement process. These recommendations also are designed to assist in mitigating any appearance of favoritism or bias in selecting vendors and awarding contracts.

1. Establish the minimum and maximum number of vendors to receive RFP notices.

2. Require that the criteria used to select vendors to be sent RFP notices be formally documented and retained in the procurement/contract file. The RFP coordinator explained his methodology and his selection process, which appeared reasonable.
3. Consider obtaining vendor e-mail addresses for vendors on the service registry and sending RFP notices to those vendors through the Internet.
4. Consider posting RFP notices in newspapers.
5. Require evaluators to prepare their evaluations in ink and to sign and date their evaluation sheets and scores. Some of the evaluation sheets were completed in pencil, and none of the evaluation sheets were signed.
6. Require evaluators to sign and date the final scores on the proposal score summary matrix to ensure that the individual scores are posted correctly. The proposal score summary matrix was prepared by the RFP coordinator and was not reviewed by the evaluators. However, the RFP coordinator had correctly posted the individual scores.
7. Document the mailing of RFP notices. Documentation such as the vendor list, the RFP notice, and the RFP schedule of events, as well as the interviews, supported that the RFP notices were appropriately mailed. However, those responsible for procurements should take the next step in terms of documenting that RFP notices were placed in the mail on the date specified in the RFP schedule of events.
8. Develop written guidelines for evaluators relative to the necessity for independent and separate evaluations, and require that those guidelines be signed and dated by the evaluators as proof that they have read and understood the guidelines. The guidelines were verbally communicated to the evaluators by the RFP coordinator and were well-understood by the evaluators. However, to ensure clear communication and to reduce misunderstanding, such important instructions should be formally documented.
9. Develop a comprehensive RFP and bid evaluation checklist, which, when properly completed, would provide evidence of an appropriately designed and executed procurement process. The auditors found that there was adequate documentation of the process, but the documents were not systematically organized. A checklist would ensure that the appropriate steps had been completed in the proper sequence and also would facilitate monitoring and subsequent management review and audit examination.

10. Consider increasing the minimum number of evaluators to five, and establishing a procedure whereby the high and low scores are discarded to dampen the influence of any one evaluator. An alternative process that could be considered would be to add one or more additional evaluators if one evaluator's score is substantially higher or lower than another's.

If we can be of further assistance, or if you need additional information, please do not hesitate to contact me at (615) 741-5235.

Sincerely,

A handwritten signature in black ink that reads "Arthur A. Hayes, Jr." with a stylized flourish at the end.

Arthur A. Hayes, Jr., Director  
Division of State Audit

AAH/gmk  
05/08

EXHIBIT 1  
Analysis of Compliance With RFP Requirements

| <u>Item</u> | <u>Criteria</u>  | <u>Requirement</u>  | <u>Compliance?</u> |
|-------------|--|---|--------------------|
| 1           | Was RFP sent to vendors?   | Service Contract Policy .03 a 6<br>OCR website Sample Notice of Request for Proposals | Yes                |
| 2           | Was RFP posted to website?   | Service Contract Policy .03 a 6<br>OCR website  | Yes                |
| 3           | Was an RFP schedule of events prepared?                                      | OCR website RFP Model Section 2   | Yes                |
| 4           | Was the appropriate time frame followed during the RFP and proposal process? | OCR website RFP Model Section 2   | Yes                |
| 5           | Was the OCR Service Provider Registry used to identify vendors?              | SPR should be considered per Service Contract Policy .03 a 6, .07 e                   | Yes                |
| 6           | Was an appropriate number of vendors solicited?                              | no minimum number required  | (1)                |
| 7           | Were proper selection criteria used for vendors?                             | F&A Rule 0620-3-3.03(2)(e)  | Yes                |
| 8           | Was an appropriate number of evaluators used?                                | minimum of 3 per<br>Service Contract Policy .03 a 1<br>F&A Rule 0620-3-3.03(2)(h)(1)  | Yes (2)            |
| 9           | Was the RFP Coordinator not a member of the evaluation team?                 | Service Contract Policy .03 a 1   | Yes (3)            |

EXHIBIT 1 (CONTINUED)  
Analysis of Compliance With RFP Requirements

| <u>Item</u> | <u>Criteria</u>  | <u>Requirement</u>  | <u>Compliance?</u> |
|-------------|--|---|--------------------|
| 10          | Were conflict of interest forms signed by the evaluators?                      | Service Contract Policy .03 a 2, .03 a 12<br>F&A Rule 0620-3-3.03(2)(h)(2)<br>OCR website Conflict of Interest Disclosure Statement                   | Yes                |
| 11          | Were technical proposals evaluated separately from cost proposals?             | TCA 12-4-109(a)(1)(A)(iii)<br>F&A Rule 0620-3-3.03(2)(g)<br>Service Contract Policy .03 a 8<br>OCR website RFP Instructions & Model Language 6.3, 6.4 | Yes                |
| 12          | Were the technical evaluations documented?                                     | OCR website RFP Model Attachment 6.3<br>Service Contract Policy .03 a 12  | Yes                |
| 13          | Were the cost evaluations documented?  | OCR website RFP Model Attachment 6.4<br>Service Contract Policy .03 a 12  | Yes                |
| 14          | Were total scores calculated on a summary schedule?                            | OCR website RFP Model Attachment 6.5<br>Service Contract Policy .03 a 12  | Yes                |
| 15          | Were "evaluation notice" letters sent to all vendors who submitted a proposal? | Service Contract Policy .03 a 9, .03 a 12<br>OCR website Sample Evaluation Notice   | Yes                |
| 16          | Did the final contract contain the appropriate signatures?                     | F&A Rule 0620-3-3.06<br>Service Contract Policy .05 c, .06 c<br>TCA 12-4-110(a)   | Yes                |

EXHIBIT 1 (CONTINUED)  
Analysis of Compliance With RFP Requirements

**Footnotes**

- (1) Nine vendors were solicited-see Exhibit 3.
- (2) Three evaluators were used-Mr. Francis Eagle, then Assistant Commissioner of Marketing; Mr. Derrick Smith, Regional Marketing and Public Relations Manager; and Mr. Mark Thein, then Director of Communications.
- (3) RFP coordinator was Mr. Tom Lightsey, Assistant Commissioner of Administration.

**EXHIBIT 2**  
**Formal Written Timeline Regarding RFP and Contract**

RFP-326.01-006

**2 RFP SCHEDULE OF EVENTS**

The following Schedule of Events represents the State's best estimate of the schedule that will be followed. Unless otherwise specified, the time of day for the following events will be between 8:00 a.m. and 4:30 p.m., Central Time.

| <b>RFP SCHEDULE OF EVENTS</b>   |           |   |
|---|-----------|---|
| <p><b>NOTICE:</b> The State reserves the right, at its sole discretion, to adjust this schedule as it deems necessary. The State will communicate any adjustment to the Schedule of Events to the potential proposers from whom the State has received a Notice of Intent to Propose.</p> |           |   |
| EVENT   | TIME      | DATE<br>(all dates are state business days) |
| 1. State Issues RFP   |           | Dec. 19, 2003                               |
| 2. Disability Accommodation Request Deadline  |           | Dec. 31, 2003                               |
| 3. Pre-proposal Conference  | 10:00a.m. | Jan. 5, 2004                                |
| 4. Notice of Intent to Propose Deadline   |           | Jan. 7, 2004                                |
| 5. Written Comments Deadline  |           | Jan. 12, 2004                               |
| 6. State Responds to Written Comments   |           | Jan. 19, 2004                               |
| 7. Proposal Deadline  | 2:00 p.m. | Jan. 26, 2004                               |
| 8. State Completes Technical Proposal Evaluations   |           | Feb. 2, 2004                                |
| 9. State Conducts Presentation of Service Capabilities  |           | Feb. 4 – Feb. 9, 2004                       |
| 10. State Completes Presentation Evaluations  |           | Feb. 10, 2004                               |
| 11. State Opens Cost Proposals and Calculates Scores  | 9:00 a.m. | Feb. 11, 2004                               |
| 12. State Issues Evaluation Notice and Opens RFP Files for Public Inspection  | 9:00 a.m. | Feb. 12, 2004                               |
| 13. Contract Signing  |           | Feb. 24, 2004                               |
| 14. Contract Signature Deadline   |           | Mar. 2, 2004                                |
| 15. Contract Start Date   |           | Mar. 2, 2004                                |

EXHIBIT 3  
Vendor List

RFP 326.01-005 NEWS PRODUCTION AND  
DISTRIBUTION SERVICES VENDOR LIST

- |  |  |
|--|--|
| (1) Cathy Ackermann<br>Ackermann Public Relations<br>1111 Northshore Drive<br>Suite N-400<br>Knoxville, TN 37019<br>(865) 584-0550 | (6) Lisa Bingham<br>Bingham Group<br>900 South Gay Street<br>Suite 2006<br>Knoxville, TN 37902         |
| (2) Katcher Vaughn & Bailey<br>5141 Virginia Way<br>Suite 420<br>Brentwood, TN 37227   | (7) Jamie Webb<br>Sossaman + Associates<br>400 Union Avenue<br>Memphis, TN 38103                       |
| (3) Albert Waterhouse<br>Waterhouse Public Relations<br>436 Market Street<br>Chattanooga, TN 37402                                 | (8) McNeely Pigott & Fox<br>611 Commerce Street<br>Nashville, TN 37203                                 |
| (4) John Van Mol<br>Dye, Van Mol and Lawrence, Inc<br>209 Seventh Avenue North<br>Nashville, TN 37219                              | (9) Chuck Thompson<br>Ibis Communications<br>1024 17 <sup>th</sup> Avenue South<br>Nashville, TN 37212 |
| (5) Becky West<br>WestRogers Strategic Communications<br>6075 Poplar Avenue<br>Suite 122<br>Memphis, TN 38119                      |  |

The subject RFP was available in PDF format at:  
<http://www.state.tn.us/finance/rds/ocr/rfp.html>.

EXHIBIT 4  
List of Responding Bidders

Dye, Van Mol & Lawrence  
209 7<sup>th</sup> Avenue, North  
Nashville, TN 37219

WestRogers Strategic Communications  
6075 Poplar Avenue, Suite 122  
Memphis, TN 38119

Ackermann PR  
1111 Northshore Drive  
Suite N-400  
Knoxville, TN 37919

Katcher Vaughn & Bailey Communications, LLC  
5141 Virginia Way, Suite 420  
Brentwood, TN 37027

EXHIBIT 5  
Total Scoring Sheet

ATTACHMENT 6.5

PROPOSAL SCORE SUMMARY MATRIX

*Tom Lightsey*  
RFP Coordinator

*2/11/04*  
Date

| QUALIFICATIONS & EXPERIENCE<br>Maximum Points: 25     | WEST ROGERS    |      | DYE VAN MOL LAWRENCE |      | ACKERMANN      |      |
|---|----------------|------|----------------------|------|----------------|------|
| A   | 17             |      | 24                   |      | 25             |      |
| B   | 19             |      | 23                   |      | 23             |      |
| C   | 12             |      | 18                   |      | 25             |      |
|   | AVERAGE SCORE: | 16.0 | AVERAGE SCORE:       | 21.7 | AVERAGE SCORE: | 24.3 |
| TECHNICAL APPROACH<br>Maximum Points: 35              |                |      |                      |      |                |      |
| A   | 21             |      | 35                   |      | 35             |      |
| B   | 21             |      | 34                   |      | 32             |      |
| C   | 18             |      | 21                   |      | 35             |      |
|   | AVERAGE SCORE: | 16.7 | AVERAGE SCORE:       | 30.0 | AVERAGE SCORE: | 34.0 |
| SERVICE CAPABILITY PRESENTATION<br>Maximum Points: 10 |                |      |                      |      |                |      |
| A   | 0              |      | 10                   |      | 10             |      |
| B   | 8              |      | 10                   |      | 10             |      |
| C   | 0              |      | 6                    |      | 10             |      |
|   | AVERAGE SCORE: | 2.7  | AVERAGE SCORE:       | 8.7  | AVERAGE SCORE: | 10.0 |
| COST PROPOSAL<br>Maximum Points: 30                   | SCORE:         |      | SCORE:               |      | SCORE:         |      |
|   |                | 30.0 |                      | 26.9 |                | 22.4 |
| PROPOSAL SCORE<br>Maximum Points: 100                 | TOTAL SCORE:   |      | TOTAL SCORE:         |      | TOTAL SCORE:   |      |
|   |                | 65.4 |                      | 87.3 |                | 90.7 |

EXHIBIT 5 (CONTINUED)  
Total Scoring Sheet

ATTACHMENT 6.5

PROPOSAL SCORE SUMMARY MATRIX

*Tom Lightsey*  
RFP Coordinator

*2/11/04*  
Date

|   |                            |                 |                |  |                |
|---|----------------------------|-----------------|----------------|--|----------------|
| QUALIFICATIONS & EXPERIENCE<br>Maximum Points: 25     | KATCHER<br>VAUGHN & BAILEY |                 |                |  |                |
| A   | 19                         |                 |                |  |                |
| B   | 21                         |                 |                |  |                |
| C   | 15                         |                 |                |  |                |
|   | AVERAGE SCORE:             | 18.3            | AVERAGE SCORE: |  | AVERAGE SCORE: |
| TECHNICAL APPROACH<br>Maximum Points: 35              |                            |                 |                |  |                |
| A   | 30                         |                 |                |  |                |
| B   | 25                         |                 |                |  |                |
| C   | 15                         |                 |                |  |                |
|   | AVERAGE SCORE:             | 23.3            | AVERAGE SCORE: |  | AVERAGE SCORE: |
| SERVICE CAPABILITY PRESENTATION<br>Maximum Points: 10 |                            |                 |                |  |                |
| A   | 6                          |                 |                |  |                |
| B   | 8                          |                 |                |  |                |
| C   | 4                          |                 |                |  |                |
|   | AVERAGE SCORE:             | 6.0             | AVERAGE SCORE: |  | AVERAGE SCORE: |
| COST PROPOSAL<br>Maximum Points: 30                   |                            |                 |                |  |                |
|   | SCORE:                     | 19.8            | SCORE:         |  | SCORE:         |
|   |                            | <del>19.8</del> |                |  |                |
|   |                            | 67.4            |                |  |                |
| PROPOSAL SCORE<br>Maximum Points: 100                 | TOTAL SCORE:               | 67.4            | TOTAL SCORE:   |  | TOTAL SCORE:   |

## EXHIBIT 6

## Invoices from Ackermann PR to Dept. of Tourist Development

| <u>Item</u> | <u>Date</u> | <u>Invoice #</u> | <u>Job #</u>                  | <u>Description</u>   | <u>Amount</u> |
|-------------|-------------|------------------|-------------------------------|--|---------------|
| 1           | 3/31/2004   | 8606-0           | 003762 News Bureau Launch     | consulting, materials, media resources, travel, web site development   | \$ 31,306.15  |
| 2           | 4/30/2004   | 8689-01          | 003859 News Production Svcs   | Consulting   | \$ 28,962.50  |
| 3           | 4/30/2004   | 8689-02          | 003860 News Distribution Svcs | Consulting   | \$ 7,017.50   |
| 4           | 4/30/2004   | 8689-03          | 003861 Program Measurements   | consulting   | \$ 755.00     |
| 5           | 4/30/2004   | 8689-04          | 003862 Account Supervision    | Consulting   | \$ 3,036.25   |
| 6           | 4/30/2004   | 8689-05          | 003863 Expenses               | website programming, media resource fee, travel expenses, misc expenses  | \$ 17,719.63  |
| 7           | 5/31/2004   | 8749-0           | 003861 Program Measurements   | Consulting   | \$ 707.50     |
| 8           | 5/31/2004   | 8750-0           | 003862 Account Supervision    | consulting   | \$ 3,732.50   |
| 9           | 5/31/2004   | 8751-0           | 003863 Expenses               | audiovisual, media resources, mileage, postage, telephone calls  | \$ 1,045.01   |
| 10          | 5/31/2004   | 8752-0           | 003860 News Distribution Svcs | Consulting   | \$ 8,625.00   |
| 11          | 5/31/2004   | 8753-0           | 003859 News Production Svcs   | Consulting   | \$ 17,360.00  |
| 12          | 6/30/2004   | 8819-0           | 003861 Program Measurements   | consulting   | \$ 556.25     |
| 13          | 6/30/2004   | 8820-0           | 003863 Expenses               | media resources, telephone calls   | \$ 505.70     |
| 14          | 6/30/2004   | 8823-0           | 003859 News Production Svcs   | consulting   | \$ 11,946.25  |
| 15          | 6/30/2004   | 8824-0           | 003860 News Distribution Svcs | media relations  | \$ 5,373.75   |
| 16          | 6/30/2004   | 8825-0           | 003862 Account Supervision    | consulting   | \$ 1,346.25   |
| 17          | 7/31/2004   | 8882-0           | 003859 News Production Svcs   | consulting   | \$ 13,343.75  |
| 18          | 7/31/2004   | 8883-0           | 003860 News Distribution Svcs | media relations  | \$ 9,463.75   |
| 19          | 7/31/2004   | 8884-0           | 003861 Program Measurements   | consulting   | \$ 1,165.00   |
| 20          | 7/31/2004   | 8885-0           | 003862 Account Supervision    | consulting   | \$ 1,820.00   |
| 21          | 7/31/2004   | 8886-0           | 003863 Expenses               | courier, media resources, telephone calls  | \$ 721.57     |
| 22          | 8/31/2004   | 8946-0           | 003859 News Production Svcs   | consulting   | \$ 12,078.75  |
| 23          | 8/31/2004   | 8947-0           | 003860 News Distribution Svcs | media relations  | \$ 5,192.50   |
| 24          | 8/31/2004   | 8948-0           | 003861 Program Measurements   | consulting   | \$ 2,987.50   |
| 25          | 8/31/2004   | 8949-0           | 003862 Account Supervision    | consulting   | \$ 3,128.75   |
| 26          | 8/31/2004   | 8950-0           | 003863 Expenses               | broadcast fax & internet serv., courier, materials, media resources, mileage, postage, telephone calls, web site development | \$ 2,395.57   |
| 27          | 9/30/2004   | 9007-0           | 003859 News Production Svcs   | consulting   | \$ 12,328.75  |
| 28          | 9/30/2004   | 9008-0           | 003860 News Distribution Svcs | media relations  | \$ 6,570.00   |
| 29          | 9/30/2004   | 9009-0           | 003861 Program Measurements   | consulting   | \$ 3,998.75   |
| 30          | 9/30/2004   | 9010-0           | 003862 Account Supervision    | consulting   | \$ 9,666.25   |
| 31          | 9/30/2004   | 9011-0           | 003863 Expenses               | lodging, meals, media resources, mileage, parking, telephone calls, web site development                                     | \$ 1,548.59   |
| 32          | 10/31/2004  | 9067-0           | 003859 News Production Svcs   | consulting   | \$ 8,493.75   |
| 33          | 10/31/2004  | 9068-0           | 003860 News Distribution Svcs | media relations  | \$ 4,423.75   |
| 34          | 10/31/2004  | 9069-0           | 003861 Program Measurements   | consulting   | \$ 1,442.50   |
| 35          | 10/31/2004  | 9070-0           | 003863 Expenses               | media resources, mileage, parking, press release distribution, telephone calls, web site development                         | \$ 1,398.59   |
| 36          | 10/31/2004  | 9072-0           | 003862 Account Supervision    | consulting   | \$ 3,698.75   |
| 37          | 11/30/2004  | 9124-0           | 003859 News Production Svcs   | consulting   | \$ 20,960.00  |
| 38          | 11/30/2004  | 9125-0           | 003860 News Distribution Svcs | media relations  | \$ 3,583.75   |
| 39          | 11/30/2004  | 9126-0           | 003861 Program Measurements   | consulting   | \$ 666.25     |
| 40          | 11/30/2004  | 9127-0           | 003862 Account Supervision    | consulting   | \$ 7,073.75   |
| 41          | 11/30/2004  | 9128-0           | 003863 Expenses               | color copies, copying, media resources, mileage, parking, press release distribution, telephone calls, web site development  | \$ 4,618.99   |
| 42          | 12/31/2004  | 9216-0           | 003859 News Production Svcs   | consulting   | \$ 16,461.25  |
| 43          | 12/31/2004  | 9217-0           | 003860 News Distribution Svcs | media relations  | \$ 3,855.00   |
| 44          | 12/31/2004  | 9218-0           | 003861 Program Measurements   | consulting   | \$ 4,962.50   |
| 45          | 12/31/2004  | 9219-0           | 003862 Account Supervision    | consulting   | \$ 2,675.00   |
| 46          | 12/31/2004  | 9220-0           | 003863 Expenses               | color copies, meals, media resources, mileage, miscellaneous, postage, web site development                                  | \$ 2,020.58   |

## EXHIBIT 6 (CONTINUED)

Invoices from Ackermann PR to Dept. of Tourist Development

| <u>Item</u>  | <u>Date</u> | <u>Invoice #</u> | <u>Job #</u>                  | <u>Description</u>  | <u>Amount</u>               |
|--------------|-------------|------------------|-------------------------------|---|-----------------------------|
| 47           | 1/31/2005   | 9283-0           | 003859 News Production Svcs   | consulting  | \$ 14,427.50                |
| 48           | 1/31/2005   | 9284-0           | 003860 News Distribution Svcs | media relations   | \$ 8,681.25                 |
| 49           | 1/31/2005   | 9285-0           | 003861 Program Measurements   | consulting  | \$ 473.75                   |
| 50           | 1/31/2005   | 9286-0           | 003862 Account Supervision    | consulting  | \$ 3,112.50                 |
| 51           | 1/31/2005   | 9287-0           | 003863 Expenses               | media resources, mileage, parking, postage, press release distribution, telephone calls, web site development | \$ 2,586.75                 |
| 52           | 2/28/2005   | 9379-0           | 003859 News Production Svcs   | consulting  | \$ 5,910.00                 |
| 53           | 2/28/2005   | 9380-0           | 003860 News Distribution Svcs | media relations   | \$ 8,081.25                 |
| 54           | 2/28/2005   | 9381-0           | 003861 Program Measurements   | consulting  | \$ 46.25                    |
| 55           | 2/28/2005   | 9382-0           | 003862 Account Supervision    | consulting  | \$ 2,200.00                 |
| 56           | 2/28/2005   | 9383-0           | 003863 Expenses               | color copies, media resources, web site development   | \$ 821.00                   |
| <b>Total</b> |             |                  |                               |   | <u><u>\$ 359,079.38</u></u> |