



CITY OF ATLANTA
OFFICE OF THE INSPECTOR GENERAL
SHANNON K. MANIGAULT
INSPECTOR GENERAL

INDEPENDENT PROCUREMENT REVIEW DIVISION

Independent Procurement Review Report

TO: Atlanta City Council

DATE: November 29, 2023

The purpose of this report is to communicate the results of the following solicitation.

Background

The Department of Customer Service issued a Request for Proposals for the project and scope shown below. Requests for Proposals are typically evaluated based on a variety of evaluation factors including price, understanding of scope and objectives, and expertise. This project was not previously cancelled.

Solicitation#	RFP-S-1230072
Project Name:	ATL311 Customer Relationship Management (CRM) System
Estimated Dollar Amount:	\$1,400,000
Term:	One year with three one-year renewal options
Recommended Awardee:	Accenture LLP
DOP Responsive Bidders:	3Di, Inc. Accenture LLP Cloud Navigator, Inc. Incapsulate LLC SDI Presence Stack Nexus, Inc. Think Development System, Inc. Three-Twelve Staffing and Consulting LLC RockITdata LLC Catalyst Consulting Group, Inc.
All Bidders:	3Di, Inc. Accenture LLP Cloud Navigator, Inc. Incapsulate LLC Rock Solid Technology SDI Presence Slalom Stack Nexus, Inc.

	Think Development System, Inc. Three-Twelve Staffing and Consulting LLC RockITdata LLC Catalyst Consulting Group, Inc.
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Observations and Responses

Initiation

Observation 1: Five addenda were issued that modified the pre-proposal conference date, extended the due date three times, and responded to 222 questions.

IPro does not require a response from DOP for this observation.

Evaluation

Observation 2: The recommended awardee failed to disclose a state tax lien within the last five years as required by DOP's Financial Disclosure form.

DOP Response: If the proponent had disclosed the tax lien, Risk stated that they would have provided the same score but would have entered a note on the scoring summary sheet for the user agency's consideration.

Observation 3: The recommended awardee provided a subcontractor utilization form with a total of 15% SBE participation. The participation listed is lower than the Office of Contract Compliance (OCC) SBE required goal of 25%. OCC provided 15 points although the proposed awardee did not meet the SBE participation goal.

DOP Response: Based on the observation in which the SBE Minority / Diversity Participation Goal of 25% SBE was not fully achieved by the proponent, the following Office of Contract Compliance considerations were applicable in deeming the proponent responsive and awarding the fifteen (15) evaluation scoring points: The proponent demonstrated acceptable documentation of Good Faith Outreach Efforts (GFE) as described as part of the Appendix A guidance and instructions, to identify, contact, contract with, or utilize businesses, specifically SBE's, as subcontractors or suppliers on the contract.

Observation 4: Calculation errors in DOP's evaluation scoring matrix resulted in differences of up to 350 points for individual maximum possible weighted scores for proposal elements. The four proposals that were fully evaluated had percentage differences ranging from approximately 47% to 59%. Miscalculations present the risk the most qualified proponent would not be recommended for award.

Table 1: DOP Evaluation Calculations and IPro Recalculations

Proponent	DOP Evaluation	IPro Recalculation	Difference	Percentage Difference
Proponent 1	625	955	330	52.80%
Proponent 2	575	890	315	54.78%
Proponent 3	520	765	245	47.12%
Proponent 4	470	745	275	58.51%

Source: DOP Evaluation Matrix and IPro analysis

These miscalculations did not change the rankings of the proposed awardees that DOP shared with the user agency (UA).

DOP Response: Although the miscalculations did not change the rankings of the proposed awardees, it was discovered that the miscalculations in the scoring matrix occurred due to a technical deficiency in the formula in the Excel spreadsheet. The formula has been corrected and an updated scoring matrix has been attached.

The Department of Procurement has since implemented a new evaluation scoring matrix and methodology that provides a near statistical impossibility of achieving a tied score, reduces the number of errors in calculations and provides a wider spread between proponent’s scores.

Award

Observation 5: Before the Request for Information (RFI) process, the recommended awardee and one of its representatives communicated with the Office of the Mayor and with the UA about the ATL311 digital transformation project. During the RFI process, the mayor, members of the mayor’s cabinet, and members of the UA met with the proposed awardee to discuss project implementation. After the meeting, during the RFI period, members of the UA and the recommended awardee communicated expressing excitement about working together.

This matter has been referred to the Compliance Division.

DOP Response: The Office of the Mayor, Members of the Mayor’s Cabinet and members of the User Agency will be advised by the Department of Procurement (DOP) to refrain from any procurement discussions regarding this service and any future services during the sourcing period. Should any communication be required, the Department of Procurement and the Department of Law should be engaged in all such communication and if necessary, obtain approval from both DOP and Law.

Also, according to the City of Atlanta’s Procurement and Real Estate Code Section 2-1188(b) (Invitation for Bid) and 2-1189(b) (Request for Proposal), both are considered formal procurements and will subsequently result in an award (2-1188(k) and 2-1189(g)). In the Required Submittal forms for all formal solicitations, the blackout period states on Form 2, Page 7 (“The blackout period begins with the advertisement of the synopsis and

shall remain in effect until execution of the contract, or the solicitation is cancelled and will not be resolicited, whichever comes first. During the blackout period, all questions pertaining to this solicitation must be directed to the Department of Procurement's assigned Procurement Professional or the appropriate Supervisor. Offeror or any representative, agent or other person acting on behalf of Offeror is prohibited from contacting any other City agency, employee, representative, or elected or appointed official regarding questions about this solicitation. Violations of this section will result in Offeror's disqualification.") Unlike an IFB and an RFP, which are formal solicitations, an RFI does not result in an award or the execution of a contract. It is only a Request for Information to acquire information from the vendor community in a specialized or unique field, prior to soliciting a formal bid or proposal.

The review yielded no additional findings.

Methodology

The Independent Procurement Division reviews the following stages of the procurement process:

- Initiation
- Solicitation
- Responsive Review
- Evaluation
- Award

In accordance with Atlanta City Charter Article 8, Section 8-107, and Section 2-1604 of the Atlanta Code of Ordinances, the Independent Procurement Review Division of the Office of the Inspector General must review all solicitations with an aggregate value of \$1,000,000 or greater seeking approval by the Atlanta City Council, for file completeness, conflicts of interest, and other areas of perceived deficiency; must review all cooperative purchase agreements and piggyback contracts with an aggregate value greater than \$1,000,000; and may conduct discretionary reviews of any value.



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INDEPENDENT PROCUREMENT REVIEW DIVISION

Independent Procurement Review Report

TO: Atlanta City Council

DATE: May 29, 2024

The purpose of this report is to communicate the results of the following solicitation.

Background

The Atlanta Department of Transportation requested an Invitation for Bids for the project and scope shown below. Invitations for Bids are to be awarded to the lowest responsive or responsible bidder. This project was not previously cancelled.

Solicitation#	IFB-CON-DOT-2411-1240161
Project Name:	2024 Unit Price Contract (ID/IQ) for Roadway Construction and Maintenance – Small (Citywide)
Estimated Dollar Amount:	\$55,000,000
Term:	Two years with two, one-year renewal options
Recommended Awardee:	Astra Group, LLC Construction 57, Inc. Precision 2000, Inc. Southeastern Site Development Structural Design & Construction (SD & C)
DOP Responsive Bidders:	Astra Group, LLC Construction 57, Inc. Precision 2000, Inc. Southeastern Site Development Structural Design & Construction (SD & C)
All Bidders:	Astra Group, LLC Brooks-Berry-Haynie & Associates Construction 57, Inc. Gregory Jones Asphalt, LLC Precision 2000, Inc. Southeastern Site Development Structural Design & Construction (SD&C)

Observations and Responses

Initiation

Observation 1: DOP provided Evaluator Ethics and Commitment forms for three evaluators and cited that these forms are required, but a CPO approval memo is not generated for IFBs. The contract file included no resumes detailing professional expertise to evaluate the bids.

DOP Response: Evaluator forms and resumes are not required for bid evaluation as the determining factor for bids is lowest price, most responsive and responsible.

Responsive Review

Observation 2: A proposed awardee listed a competing non-responsive proponent as an anticipated subcontractor on this solicitation, which could indicate collusive bidding. This non-responsive proponent submitted a Letter of Intent to participate on the competing bid.

DOP Response: There is no rule preventing suppliers that are submitting a bid from submitting as a subcontractor on other bids. There is language in the instructions to bidders that outlines ethics and integrity in the bidding process. If the evaluation of bids determines that ethics were violated, it will be investigated accordingly.

Observation 3: DOP noted on the Responsive Review Checklist that one match was found on the SAM.gov exclusion for a proposed awardee, however documentation of the search was not provided.

DOP Response: In response to the IPro observation, DOP provided the SAM.gov exclusion information.

Observation 4: A proposed awardee did not provide Letters of Intent for the anticipated subcontractors listed on its Subcontractor Project Plan Subcontractor/Supplier Utilization Form (EBO-3).

DOP Response: Appendix A information was vetted/approved by OCC. The intent of this action is to award projects via task/work orders wherein OCC goal participation may be individually vetted per task/work order.

Observation 5: Invitations for Bids are considered “an appropriate procurement method when price and responsibility are the primary means for award,” per DOP SOP Section 2.23. This section states, “cost is evaluated based on the best value to the City.”

In Addendum #1 dated January 31, 2024, DOP answered bidder questions. One response stated the first phase of this IFB would be based on qualifications only and not on price. This response also stated qualified bidders would be given the opportunity to provide unit prices in the second phase of the IFB.

DOP Response: DOP confirms that this information is correct as noted in the addendum. The intent of Phase I is to qualify contractors based on the information provided via Statement of Bidders Qualifications. The intent of Phase II is to solicit each project to the list of qualified contractors and award to the lowest price, most responsive/responsible.

Another response stated the selected bidders would be given the opportunity to bid on the task order released by the user agency in the second phase of the IFB. It also stated that the second phase does not consist of procurement activity.

DOP Response: The second phase of this action is issuance of task/work orders for projects. The task/work orders will be submitted to the suppliers to receive quotes. The lowest, most responsive, responsible response will be awarded the task/work order.

The contract file initially contained no documentation detailing how the user agency determined the recommended awardees based on qualifications. In response to this observation, DOP provided copies of the user agency’s recommendation of award and statement of qualifications review document titled Departmental Bid Evaluation, which was to be attached to the recommendation of award memo with the user agency representatives. This unsigned document lists the names of four Evaluation Committee Members. There is not a signed version of this evaluation document or a sign-in sheet for the review meeting, thus it cannot be confirmed who attended.

Three of the four members had signed Evaluator Ethics and Commitment forms submitted as part of the contract file. There were no forms for the fourth individual, which could inhibit the ability to enforce ethical standards.

DOP Response: Per Sec 2-1188(k)(1) – In determining the most responsible and responsive offeror, the CPO, in consultation with the using agency, shall consider the following: The ability, capacity and skill to perform the contract and provide the services/supplies required.

The source methodology for this action was an IFB. No evaluation forms were required to be signed. The user agency provided a signed recommendation of award that included a table determining qualifications of submitted bids which concluded that the recommended suppliers have the ability, capacity, and skill to perform the contract and provide the services required.

The review document was not signed, however, the assigned Category Specialist/Manager confirmed with the user agency that the evaluation was held on 4.15.24 and the individuals noted on the form were in attendance.

DOP will ensure that documents that require signatures will be vetted and provided accordingly for future solicitations.

This solicitation presents no costs for legislative review.

DOP response: Exhibit C: Schedule of Unit and Lump sum includes eight groups wherein suppliers are to provide cost information for various line items in Phase II. Each project under this action will be solicited to the qualified contractors only and awarded via task/work order. The user agency has the discretion to individually legislate each project/task/work order or include funding via a joint task order fund. In response to this observation, DOP provided copies of the schedule of lump sum/unit values that were included in the solicitation to document price requests. These schedules were not required at the time of bid submission. The solicitation notes that the schedules will be requested from the responsive and responsible bidders only (during Phase II).

The review yielded no additional findings.

Methodology

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INSPECTOR GENERAL

INDEPENDENT PROCUREMENT REVIEW DIVISION

Independent Procurement Review Report

TO: Atlanta City Council

DATE: June 12, 2024

The purpose of this report is to communicate the results of the following solicitation.

Background

The Department of Aviation requested a Request for Proposals for the project and scope shown below. Requests for Proposals are typically evaluated based on a variety of evaluation factors including price, understanding of scope and objectives, and expertise. This project was not previously cancelled.

Solicitation#	RFP-REF-DOA-2312-1240198
Project Name:	Noise Insulation Program- Miscellaneous Properties
Estimated Dollar Amount:	\$5,000,000 - \$10,000,000
Term:	Three years with an optional two-year renewal
Recommended Awardee:	S & L Specialty Contracting, Inc.
DOP Responsive Bidders:	S & L Specialty Contracting, Inc. Winter Johnson Group JV
All Bidders:	Public Facilities & Service S & L Specialty Contracting SG Contracting Winter Johnson Group JV

Observations and Responses

Initiation

Observation 1: A task order supplement for FC- 10438, Noise Insulation Program – Miscellaneous Properties was passed January 8, 2024, which awarded \$2,235,157 to four vendors and sent an award letter to the proposed awardee on April 24, 2024.

DOP sent the proposed awardee an award letter for this procurement May 2, 2024.

IPro does not require a response from DOP for this observation.,

Observation 2: The project name, project number and signature on one evaluator's Ethics Form appear to have been whited out, then had both typed and handwritten information added as shown below in the fields with broken lines.

Discovery of Conflict of Interest

DL If I discover during the evaluation process that I have an actual or potential conflict of interest, I shall promptly (1) inform the project manager, (2) file an online Conflicts of Interest Disclosure Statement in the City's Ethics eFiling system, and (3) withdraw from further participation as an evaluator. I may apply to the Board of Ethics or Ethics Officer for an advisory opinion about what further participation I may have in the evaluation process.

I, Damen L Simmons, have reviewed the City's Standards of Ethical and Professional Conduct for Procurement Evaluators and agree to abide by them as an evaluator approved by the Chief Procurement Officer while working on

Project Name: DOA Facilities / Noise Insulation Program

Project Number: RFP-REF-DOA 2312-1240198 - Noise Insulation Program

Signature: [Handwritten Signature]

Date: 1 March 2024

DOP Response: The evaluator initially completed the form with incorrect information. The Category Specialist corrected the form to indicate the correct procurement name and number. The changes were reviewed and approved by Procurement.

Responsive Review

Observation 3: The technical instructions to proponents cite minimum requirements for each proponent which state they must maintain an office within the state of Georgia and be located within one hundred miles of the project site. The proposed awardee's principal address was observed to be outside of the state of Georgia. OIG found no information indicating a Georgia office.

DOP Response: The proposed awardee has a State of Georgia document from the Secretary of State indicating that the Proponent has a representative in the state. Section 5.3 states the Proponent must have the location by the Notice to Proceed. The proponent demonstrated the ability and intent.

Observation 4: Per Section 5.4 of the Technical Instructions to proponents, each proponent must submit a copy of its valid Georgia General Contractors license. The proposed awardee did not provide a General Contractor's License within its submittal. Each of the non-awarded proponents submitted their General Contractor's Licenses. The responsive review checklist includes but does not evaluate this requirement.

DOP Response: The proposed awardee has an officer which has a General Contractor's License. The license is active and has been confirmed on the state website.

Observation 5: The Contract Specialist did not provide initials indicating the presence of submitted documents or signatures to indicate responsiveness on the Financial Responsibility Review forms for the proposed awardees as required by directions for the Contract Specialist on the forms.


DOP Response: The form was signed by the Contract Specialist and Department of Enterprise Risk Management to identify the project tier selected. This is to inform the proponents of the tier requirements. The evaluation of Form 3 is conducted by DOP on the responsive checklist initially and Enterprise Risk Management provides a separate evaluation document.

Evaluation

Observation 6: Inconsistencies exist between scores submitted by the Office of Contract Compliance (OCC), Risk (Financial Capability) and the scores provided on the evaluation matrix. The Department of Procurement (DOP) provided scores on the evaluation matrix based on the 1,3,9 scale, however, the Contract Specialist advised the score of 9 was not applicable for scoring the Office of Contract Compliance (OCC) and Risk goals.

A maximum possible score of 9 is reflected on DOP's Evaluation Matrix, shown below for both OCC and Risk with potential maximum scores of 135 (9 x 15) and 90 (9 x 10), respectively.

DOP's SOPs no longer includes guidance on how much OCC and Risk scores contribute to the cumulative evaluation score.

Decision / Evaluation Matrix											
Project Name		Noise Insulation Program							Ver. DOP/JM-8.1.23		
Solicitation Number		RFP-REF-DOA 124098									
		Detailed Executive Summary & Cover Letter	Overall Experience, Performance, and Qualifications	Key Personnel & Resumes	Quality Control Plan Approach	Procurement Plan	Safety Record	OCC Programs and Goals	Financial Capability	TOTAL	
Importance Factor		5	20	15	10	5	20	15	10	100	
MAXIMUM SCORE		Total	45	180	135	90	45	180	135	90	900
Sample		Score	1	1	1	1	3	9	3	1	300
		Total	5	20	15	10	15	180	45	10	

DOP Response: The Contract Specialist is correct in stating that the maximum score can be a 3. However, the document template is incorrect by showing that 135 can be achieved and is being modified by Procurement.

The review yielded no additional findings.

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