



Independent Procurement Review Report

Why We Did This Review

In accordance with Atlanta City Charter Article 8, Section 8-107, 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.

Solicitation#	RFP-S-1220123
Estimated Dollar Amount:	\$750,000 annually with two one-year renewal options
Type of Procurement:	Request for Proposals
Contract Description:	In-School and Out-of-School Youth Services
Requesting Department:	WorkSource Atlanta
All Proponents:	Arbor E&T, LLC d/b/a Equus Workforce Solutions Business Owners of Tomorrow Eckerd Youth Alternatives, Inc. Future Seekers, Inc. Nobis Works, Inc. d/b/a Tommy Nobis Center Save Institute Inc. The Good Lord's Mobile Welding Company
DOP Responsive Proponents:	Arbor E&T, LLC d/b/a Equus Workforce Solutions Business Owners of Tomorrow Eckerd Youth Alternatives, Inc. Nobis Works, Inc. d/b/a Tommy Nobis Center
Recommended Awardee:	Arbor E&T, LLC d/b/a Equus Workforce Solutions

TABLE OF FINDINGS

Review Area	Risk/Criteria	Results	DOP Response
Evaluation Team	DOP procedures require evaluators to possess the necessary and appropriate experience needed to evaluate the proposals or offerors submitted to the city.	No findings identified	N/A
Solicitation	<ul style="list-style-type: none"> Bids shall only be evaluated on requirements and evaluation criteria outlined in the formal solicitation (DOP SOP 4.3.6.(E)(3). Having selection criteria established in the solicitation can help prevent bid manipulation. Evaluation criteria that are too vague or subjective can allow for manipulation of the scores. 	No findings identified	N/A
Advertisement/ Addenda	<ul style="list-style-type: none"> Changing the solicitation criteria to favor a particular proponent is a red flag of potential bid rigging (International Anti-Corruption Resource Center). Too many addenda could indicate unclear specifications or unclear scope of work, which could also favor a particular proponent. 	There were two addenda for this proposal in which DOP extended the due date for the solicitation and extended the deadline for the proponents to submit questions.	No response needed

Review Area	Risk/Criteria	Results	DOP Response
Submittal	The city code provides that the city shall select no less than three submittals solicited from an RFP that it deems as the most responsible and responsive; provided, however, that if three or fewer offerors respond, the requirement shall not apply (City Code Sec. 2-1189).	No findings identified	N/A
Responsive Review	<ul style="list-style-type: none"> • DOP procedures require findings to be recorded on a responsive checklist which identifies specific submittal requirements for the project and identifies a proponent's compliance with those required documents. • Unclear or inconsistent responsiveness determinations could be a red flag of bid manipulation. 	<p>DOP received seven proposals for this solicitation and deemed four proponents responsive. However, IPRO identified the following discrepancies in the four responsive proponents' proposals:</p> <p>Proponent 1 The recommended awardee failed to provide the following: (1) Financial statements that were audited by a certified public accountant.</p> <p>Proponent 2 The proponent failed to complete the following: (2) Offeror Contact Directory (Form 4) (3) Small Business Opportunity (SBO) documents in their entirety, as required by the Office of Contract Compliance</p> <p>Proponent 3 The proponent failed to provide the following: (4) Three consecutive years of financial statements that were audited by a certified public accountant.</p> <p>Proponent 4 The proponent failed to comply with the Office of Contract Compliance requirements by failing to complete the following: (5) Subcontractors' Contact form (DBE-3) (6) Subcontractors' Utilization form (DBE-3) (7) Letter of Intent</p>	<p>Proponent 1 (1) The Financials provided by Proponent 1 were that of a parent company without an analysis of the subsidiary proponent. DOP defers to Risk Management in its review of financial documents. Proponent 1 received a score of 8.0 out of 10.0 for financial strength.</p> <p>Proponent 2 (2) DOP waived Form 4, Offeror Contact Directory, because proponent's contact information was provided elsewhere in the proposal, namely, the Submittal Checklist. (3) DOP's process is to complete its responsiveness review prior to other stakeholders. If there are no Appendix A documents provided, DOP will deem a proponent non-responsive. However, if partial documents are provided, DOP will defer to OCC, subject matter experts for Appendix A requirements. Proponent 2 was subsequently deemed non-responsive by OCC.</p> <p>Proponent 3 (4) DOP's process is to complete its responsiveness review prior to other stakeholders. If a proponent does not submit any financial data on Form 3 and/or does not submit any financial statements, DOP will deem proponent non-responsive. However, if partial data is provided and partial statements</p>

Review Area	Risk/Criteria	Results	DOP Response
			<p>are provided, DOP will defer to Risk Management, the subject matter experts for financials. Proponent provided complete financial data on Form 3 and two years of audited statements. Risk Management was able to determine the financial strength of Proponent 3, therefore, it was not deemed non-responsive.</p> <p>Proponent 4 (5) - (7) See response to (3) for Proponent 2 above.</p>
Conflict of Interest	The city's standards of conduct prohibit employees from having financial conflicts of interests. Contracts must be awarded and administered free from improper influence or the appearance of impropriety.	No findings identified	N/A
Evaluation	<ul style="list-style-type: none"> • DOP procedures require procurement staff to compile the evaluation scores, including those from risk management and contract compliance. • Public procurement practice states that any arithmetical errors should be corrected, and scores should be recorded in grids/matrices (NIGP). 	No findings identified	N/A
Cancellation	<ul style="list-style-type: none"> • The Government Accountability Office states that the use of standard language such as "in the best interest of the city" without a specific justification for cancellation could be a fraud indicator. • Transparency International states that effective record-keeping of decisions and reasons for cancellation promotes accountability and transparency. 	No findings identified	N/A
Award	A contract file should include all project items, to confirm that each phase of the procurement was facilitated appropriately and audit-ready (DOP SOP Sec. 3.18)	No findings identified	N/A