



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-1210026
Estimated Dollar Amount:	Varies Annually
Type of Procurement:	Request for Proposal
Contract Description:	Citywide Architectural, Planning, Design, Engineering & Construction Phase Services (Group B-Large)
Requesting Department:	Department of Enterprise Asset Management
All Proponents:	Design Renovation Engineering (DREAM ATL JV) Hok & Fitzgerald Collaborative Group LLC JV Pond & Co. & Good & Van Slyke Association (GVSA) Stevens & Wilkinson & Chasm Architecture LLC
DOP Responsive Proponents:	Design Renovation Engineering (DREAM ATL JV) Hok & Fitzgerald Collaborative Group LLC JV Pond & Co. & Good & Van Slyke Association (GVSA) Stevens & Wilkinson & Chasm Architecture LLC
Recommended Awardee:	Design Renovation Engineering (DREAM ATL JV) Hok & Fitzgerald Collaborative Group LLC JV Pond & Co. & Good & Van Slyke Association (GVSA) Stevens & Wilkinson & Chasm Architecture LLC

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.	An employee approved as an evaluator by the CPO did not have a signed ethics or commitment form on file for this solicitation.	DOP provided a copy of the ethics and commitment forms that were missing from the file.
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. 	DOP issued three addenda, which revised the draft services agreement, answered questions, and clarified the scope of the services.	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 bidder's compliance with those required documents. • Unclear or inconsistent responsiveness determinations could be a red flag of bid manipulation. 	<ol style="list-style-type: none"> 1. A minority joint venture partner failed to provide financial statements for 2019 that were reviewed by a CPA. 2. A minority joint venture partner answered Yes to Question 1 of the Contractor Disclosure and Declaration (Form 2), regarding the disclosure of contracts with the City of Atlanta within the last three years, but did not provide any contract numbers or project names as required. 3. The cost proposal from a proponent included two positions with a billable rate that exceeded the Principal in Charge. The file contained no documentation indicating that the City had approved such rates. 4. A proponent submitted a proposal where neither the Letters of Intent nor the Subcontractor Utilization form indicate any EBO commitments; the file contains no documentation supporting the EBO utilization outlined by OCC in its responsiveness memo. 	<ol style="list-style-type: none"> 1. The financial documents were deemed sufficient per DOP's responsiveness review and additionally reviewed and scored by Risk Management. 2. This item was waived as a minor irregularity as DOP can verify active contracts for vendors. 3. Negotiations for this solicitation were held on January 5, 2022 and the labor category rates, none of which exceeded that of the Principal-in-Charge, were accepted by all vendors. 4. The proponent provided OCC with EBO utilization percentages in connection with the OCC independent review.
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

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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). • According to the International Anti-Corruption Resource Center, bids that are too close together (less than 1%) or too far apart (more than 20%) could be indicators of collusive bidding. Not applicable for RFPs. 	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