



Independent Procurement Review Report

Why We Did This Review

In accordance with Atlanta City Charter Chapter 6, Section 2.603, our office is authorized to 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-C-1220121
Estimated Dollar Amount:	\$15,454,600
Type of Procurement:	Request for Proposals
Contract Description:	Old Alabama 48-Inch Water Main Relocation Design-Build and Construction
Requesting Department:	Department of Watershed Management
All Proponents:	1. Ruby-Collins, Inc. 2. Reeves Young, LLC. 3. Garney Companies, Inc.
DOP Responsive Proponents:	1. Ruby-Collins, Inc. 2. Reeves Young, LLC.
Recommended Awardee:	Ruby-Collins, Inc.

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. 	No findings identified	N/A
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

Review Area	Risk/Criteria	Results	DOP Response
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. 	The proponent recommended for award did not initial page 7 of Contractor Declaration and Disclosure Form (Form 2) which asks the proponent to represent that they will refrain from direct or indirect contact to influence the selection, refrain from initiating unauthorized blackout period communications and certify that their firm is not debarred or suspended by any federal department or agency.	Failure to initial the form was waived as a minor technicality.
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). 	<p>Sign-in sheets showed that a city employee, not approved as an evaluator by the CPO, attended the collaborative scoring sessions. This employee did not have a signed ethics form or resume on file for this solicitation.</p> <p>DOP standard operating procedures require evaluators to be approved by the CPO.</p>	The employee that attended the collaborative scoring was the DWM procurement liaison for the project. As the user department's liaison, they coordinate attendance of evaluators and attend all project related meetings for reporting purposes. Since they do not participate in the evaluation session as evaluators, an ethics form or resume is not required.
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