



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-1210025
Estimated Dollar Amount:	Varies - Task Order Driven
Type of Procurement:	Request for Proposal
Contract Description:	As Needed City-Wide Architectural, Planning, Design, Engineering and Construction Phase Services for City Facilities (Group A - Small)
Requesting Department:	Department of Enterprise Asset Management
All Proponents:	Corgan Associates, Inc. Fitzgerald Collaborative Group, LLC GLE Associates Inc. Harris + Smith LLC Lowe-Rohadfox, a Joint Venture Pieper O'Brien Herr Architects PRAXIS3/JW Robinson & Associates Inc. JV The Prime Eye, A Joint Venture Wood Environment & Infrastructure Solutions, Inc.
DOP Responsive Proponents:	Corgan Associates, Inc. Fitzgerald Collaborative Group, LLC GLE Associates Inc. Harris + Smith LLC Lowe-Rohadfox, a Joint Venture Pieper O'Brien Herr Architects PRAXIS3/JW Robinson & Associates Inc. JV The Prime Eye, A Joint Venture Wood Environment & Infrastructure Solutions, Inc.
Recommended Awardee:	Corgan Associates, Inc. Fitzgerald Collaborative Group, LLC Harris + Smith LLC Lowe-Rohadfox, a Joint Venture Pieper O'Brien Herr Architects PRAXIS3/JW Robinson & Associates Inc. JV

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

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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
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. 	<p>DOP received nine responses to this request for proposals and deemed six proponents responsive.</p> <p>However, IPro found the below discrepancies in the recommended awardees' proposals:</p> <p>Proponent A</p> <ol style="list-style-type: none"> 1. Proponent indicated that the majority partner's financial statements were reviewed by a Certified Public Account. <p>However, the Independent Accountant's Compilation Report stated that they did not audit or review the financial statements nor perform any procedures to verify the accuracy or completeness of the information.</p> <p>Proponent B</p> <ol style="list-style-type: none"> 2. Minority partner of the joint venture failed to complete the Contractor Financial Disclosure (Form 3) and did not provide bank references as required by the solicitation. <p>Proponent C</p> <ol style="list-style-type: none"> 3. Proponent indicated that the financial statements were audited by a certified public accountant but failed to provide an independent auditor's report. 	<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. The financial documents were deemed sufficient per DOP's responsiveness review and additionally reviewed and scored by Risk Management. 3. The financial documents were deemed sufficient per DOP's responsiveness review and additionally reviewed and scored by Risk Management. 4. This information was deemed a minor irregularity as the information presented was sufficient contact information.

Review Area	Risk/Criteria	Results	DOP Response
		4. Proponent submitted the Offeror Contact Directory (Form 4) with only one offeror contact.	
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.	A proponent failed to disclose several breaches of contract and other contract lawsuits filed from September 2018 to December 2021.	No response required
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)	The user agency selected the second lowest ranked proponent over the second and fourth highest ranked proponents.	It was the user agency's intent to award to multiple vendors. Eight responsive proponents were invited to negotiations sessions on January 5, 2022: two proponents did not accept negotiated labor rates and the remaining six moved forward to the award phase.