



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#	IFB-C-1220148
Estimated Dollar Amount:	\$11,556,542.00
Type of Procurement:	Invitation for Bids
Contract Description:	Upgrades to Hemphill Pump Station
Requesting Department:	Department of Watershed Management
All Bidders:	Heavy Constructors, Inc. Reeves Young, LLC WWPS, LLC
DOP Responsive Bidders:	Heavy Constructors, Inc. Reeves Young, LLC WWPS, LLC
Recommended Awardee:	WWPS, 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.	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. 	DOP issued four addenda for this solicitation to provide site visit information, extend the Questions and Bid due dates, respond to bidders' questions, and revise several solicitation attachments.	No response required

Review Area	Risk/Criteria	Results	DOP Response
Submittal	<p>The city code and DOP policy and procedures provide guidance for the receipt of competitive sealed bids.</p> <ul style="list-style-type: none"> • Bidders must provide sealed bids via the ATLCLOUD electronic procurement system, no later than 2:00 P.M., ET on date specified in the advertisement or addenda. • Bids shall be received without alteration or correction except as authorized by the CPO. (City Code Sec. 2-1188). 	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. 	DOP received three responses for this solicitation and deemed all bidders responsive. However, IPro found a responsive bidder indicated the company had a written safety program but did not provide an outline as required by the solicitation.	No response required
Conflict of Interest	<p>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.</p>	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). • 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. 	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

Review Area	Risk/Criteria	Results	DOP Response
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