



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-1220188
Estimated Dollar Amount:	\$4,000,000
Type of Procurement:	Request for Proposals
Contract Description:	Health Center Management
Requesting Department:	Department of Human Resources
All Proponents:	Kaiser Foundation Health Plans of Georgia Everside Health Careate, Inc. Marathon Health, LLC.
DOP Responsive Proponents:	Kaiser Foundation Health Plans of Georgia Everside Health
Recommended Awardee:	Kaiser Foundation Health Plans of Georgia Everside Health

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.	Two evaluation team members failed to reference the project name or number on the Evaluator Ethics Form. In addition, the same two members failed to provide a copy of the Commitment form as required by this solicitation.	The DOP Category Lead updated the form.
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 two addenda to modify the due date, answer proponents' questions, and update the Contents of Proposal.	No response required

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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. 	DOP received four proposals for this solicitation and deemed two proponents responsive. However, IPro found that one of the responsive proponents, a recommended awardee, failed to provide the Subcontractor's Utilization Form (EBO-3), as required by the Office of Contract Compliance.	DOP corrected this finding by ensuring that all of the proposals from proponents that are reviewed in the DOP Responsiveness Review are forwarded to the subject matter experts in the Office of Contract Compliance to further investigate and determine compliance.
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 non-responsive proponent failed to disclose a tax warrant which occurred within the last five years as required by the Contractor's Financial Disclosure (Form 3).	DOP provided the Financial Disclosure (Form 3) as a Required Submittal in the solicitation. However, the procurement process does not include a review by the DOP staff to determine if a proponent has a tax warrant. All of Form 3 in-depth reviews and scores are handled by the subject matter experts in the Department of Finance Risk Management.
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). 	<ol style="list-style-type: none"> (1) An individual who participated in the scoring sessions for this solicitation was not pre-approved by the City's Chief Procurement Officer. (2) During the evaluation phase of this solicitation, a proponent was deemed non-responsive for not providing a proposal bond. Subsequently, DOP waived the proposal bond requirement, deemed the non-responsive proponent responsive, and recommended that proponent for award. 	<ol style="list-style-type: none"> (1) DOP corrected this finding by providing the signed Evaluator approval document signed by the CPO on October 4, 2022. (2) During the evaluation phase of this solicitation, a proponent was deemed non-responsive for not providing a proposal bond. Subsequently, DOP waived the proposal bond requirement, deemed the non-responsive proponent responsive, and recommended that proponent for award.

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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