CITY OF ATLANTA
OFFICE OF THE INSPECTOR GENERAL
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INDEPENDENT PROCUREMENT REVIEW DIVISION

Independent Procurement Review Report

TO: Atlanta City Council

DATE: May 14, 2024

The purpose of this report is to communicate the results of the following solicitation.

Background

The Department of Watershed Management requested a Request for Proposals for the project and scope shown below. Requests for Proposals are typically evaluated based on a variety of evaluation factors including price, understanding of scope and objectives, and expertise.

Solicitation#	RFP/DWM/2305-1230345
Project Name:	Program Management Services for the Atlanta Fulton County Water Resources Commission (AFCWRC) Tom Lowe Water Treatment Plant (TLWTP)
Estimated Dollar Amount:	$12,500,000 for five years; $2,500,000 annually
Term:	Three years with two one-year renewal options
Recommended Awardee:	Brown and Caldwell / S.L. King, Joint Venture
DOP Responsive Bidders:	Brown and Caldwell / S.L. King, Joint Venture, Tom Lowe Water Partners, JV
All Bidders:	Brown and Caldwell /S.L. King, Joint Venture, Tom Lowe Water Partners, JV

Observations and Responses

Initiation

Observation 1: DOP rules require that evaluators follow the city's Standard of Ethical Conduct for Procurement and complete the evaluator ethics and commitment forms. One evaluator failed to provide the project name and number on these forms. These omissions could impede the ability to associate the forms and evaluators with this solicitation.

DOP Response: The omission of the project name and number was an oversight and did not impede the ability to associate the forms with this solicitation as they were submitted with the initial PREP package.

DOP will ensure that all forms are filled out completely for all solicitation actions.

Observation 2: DOP did not provide the project team meeting sign-in sheet as required by DOP SOP Section 4.4.1.A. DOP provided a calendar invitation for attendees in place of the sign-in sheet.

IPro does not require a response from DOP for this observation.

Observation 3: There were fewer than three submittals obtained for this solicitation, which could indicate limited competition.

DOP Response: The competition for this action was not limited due to fewer than three submissions. To ensure maximum competition, DOP included all suppliers listed for the assigned NIGP codes for professional, engineering, and program management services, etc.

DOP monitors supplier activity in Oracle and conducts polls after closing to assess supplier interest.

Observation 4: The proposed awardee listed one of the joint venture partners of the competing proponent as one of its anticipated subcontractors on this solicitation, which could indicate collusive bidding.

DOP Response: There is no rule preventing suppliers that are submitting a bid from submitting as a subcontractor on other bids. There is language in the instructions to bidders that outlines ethics and integrity in the bidding process. If evaluation of bids determines that ethics were violated, it will be investigated accordingly.

Responsive Review

Observation 5: DOP noted "No Exclusion" on the Responsive Review Checklist but the contract file included no documentation of the SAM.gov search.

DOP Response: The omission of the SAM.gov information was an oversight. In response to this observation, DOP provided the SAM.gov information.

Observation 6: After the solicitation closed but before award recommendations were issued, the commissioner of the user agency emailed a $175 event ticket to an executive of the awarded proponent.

DOP Response: DOP does not have mechanisms in place to monitor the email communications of user agencies during solicitations. User agencies are notified of the

blackout period during various intervals in the procurement process and evaluators are required to sign ethics forms which include language regarding giving/receiving gifts.

DOP will continue to collaborate with user agencies to ensure that the blackout period is adhered to for all solicitations.

The review yielded no additional findings.

Methodology

The Independent Procurement Division reviews the following stages of the procurement process:

- Initiation
- Solicitation
- Responsive Review
- Evaluation
- Award

In accordance with Atlanta City Charter Article 8, Section 8-107, and Section 2-1604 of the Atlanta Code of Ordinances, 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; must review all cooperative purchase agreements and piggyback contracts with an aggregate value greater than $1,000,000; and may conduct discretionary reviews of any value.