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: October 16, 2024

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

Background

The Department of Enterprise Asset Management requested an Invitation for Bid for the project and scope shown below. Invitation for Bids are to be awarded to the lowest responsive or responsible bidder. This project was not previously cancelled.

Solicitation#	IFB-REF-DEAM-2404-1240276
Project Name:	Citywide Roof Repairs, Replacement and Maintenance Services
Estimated Dollar Amount:	$500,000 annually
Term:	Three years with two one- year renewal options
Recommended Awardee:	Rycars, Inc.
DOP Responsive Bidders:	Rycars, Inc.
All Bidders:	Cross Roofing and Home Repairs, Inc. The M. Mitchell Group, LLC Rycar, Inc.

Observations and Responses

Initiation

Observation 1: DOP stated it changed the solicitation number from IFB-REF-DEAM-2404-1240276 to IFB-REF-DEAM-2312-1240212 "for DOP internal processing speed with regard to the RACI Chart that we utilize for streamlining our solicitations."

> DOP Response: The Department of Procurement is consistently streamlining our cycle times and notes that the advertisement clock begins at the issuance of the formal solicitation number. The final formal solicitation number change for this action was IFB-REF-DEAM-2312-1240212 to IFB-REF-DEAM-2404-1240276. DOP will continue to monitor our internal processes and coordination with user agencies to ensure that

solicitation numbers are issued in a timely manner and remain consistent for the procurement event.

Observation 2: The proposed awardee included a non-responsive contractor as a subcontractor for this solicitation, which could be an indication of collusion.

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 3: DOP noted the notary appeared to have provided a "Subcontractor Signature instead of Agent or Principle [sic]" for the IIREA form. IPro review indicates a representative from the principal company notarized the form for an agent of the principal company as well as for the subcontractor.

This subcontractor was the same as the non-responsive principal company in the above observation about potential collusion.

DOP Response: The Department of Procurement properly reviewed all forms including the IIREA forms and found no issue with Notary Signatures or authorized individuals to sign. DOP will continue to communicate the importance of completing forms and including the proper information during pre-conference meetings.

Observation 4: DOP included the Bid Bond Form on its Responsive Review Checklist and noted its absence for the non-responsive submission. DOP communicated the Bid Bond was not a requirement in Addendum 1 dated May 20, 2024. The solicitation closed June 18, 2024.

DOP Response: The inclusion of the bid bond form on the responsiveness review checklist was an oversight as Addendum No. 1 stated the bid bond was not required. DOP will ensure that all information, to include Addendum, are reviewed and information is vetted and notated accurately during responsiveness reviews.

Observation 5: On the Responsive Review Checklist, the Category Specialist noted the proposed awardee provided the Certificate of Authority to Transact Business in Georgia; the contract file did not contain this document.

DOP Response: Upon reviewing IPro's findings, DOP acknowledges the omission of the Certificate of Authority to Transact Business in Georgia. The certificate has been shared with IPro.

Observation 6: DOP noted that no matches were found for the SAM.gov exclusion on the Responsive Review Checklist; the contract file did not include documentation of the search.

DOP Response: Upon reviewing IPro's findings, DOP acknowledges the omission of the Sam.gov. The information has been shared with IPro.

Evaluation

Observation 7: A bid spread is the difference between the lowest as highest bids as a percentage of the lowest bid. The bid spread between the lowest and highest bids is 66,169%. Both these bids were deemed non-responsive.

The bid spread between the proposed awardee and the highest bid, which was non-responsive per DOP, is 27,952%.

The bid spread between the proposed awardee and the lowest bid, which was deemed non-responsive by OCC, is 136%.

Bids that are not genuine attempts to win a contract give the illusion of genuine bidding but could indicate collusion. Bids more than 20% apart could be an indication of collusive bidding.

DOP confirmed to IPro the tabulation sheet was correct. DOP explained the tabulation sheet was to contain unit costs; the highest bid appears to represent the total cost.

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

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.