



**Independent Procurement Review Report**

**Why We Did This Review**

In accordance with Atlanta City Charter Chapter 6, Section 2.603, our office is authorized to 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-1210072
Estimated Dollar Amount:	\$2,000,000
Type of Procurement:	Request for Proposals
Contract Description:	Emergency On-Call Debris Removal Services
Requesting Department:	Department of Transportation
All Proponents:	AshBritt, Inc. Ceres Environmental Services, Inc.
DOP Responsive Proponents:	AshBritt, Inc. Ceres Environmental Services, Inc.
Recommended Awardee:	AshBritt, Inc. Ceres Environmental Services, Inc.

**TABLE OF FINDINGS**

Review Area	Risk/Criteria	Results	DOP Response
<b>Evaluation Team</b>	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
<b>Solicitation</b>	<ul style="list-style-type: none"> <li>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.</li> <li>Evaluation criteria that are too vague or subjective can allow for manipulation of the scores</li> </ul>	No findings identified	N/A
<b>Advertisement/ Addenda</b>	<ul style="list-style-type: none"> <li>Changing the solicitation criteria to favor a particular proponent is a red flag of potential bid rigging (International Anti-Corruption Resource Center).</li> <li>Too many addenda could indicate unclear specifications or unclear scope of work, which could also favor a particular proponent.</li> </ul>	DOP originally advertised the due date for this solicitation as December 18, 2020. After the due date expired, DOP published Addenda #1 on January 12, 2021, that extended the due date to January 22, 2021. Extending the proposal due date after it has expired is inconsistent with DOP policies and procedures, which would have required a re-solicitation since DOP did not receive any proposals.	DOP Response DOP issued Addendum No. 1 to extend the bid due date after the solicitation expired on December 18th. Addendum was signed by CPO Clarke to extend the bid due date and approved by Procurement Manager, in Oracle, however the final approval for posting did not occur until after the 2pm closing deadline. DOP consulted with the User Agency, ADOT and decided to post Addendum No. 1 in

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			January once the responses to questions had been done, thus reopening the bid period to not slow the procurement process.
<b>Submittal</b>	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).	DOP received two proposals for this solicitation.	No response required
<b>Responsive Review</b>	<ul style="list-style-type: none"> <li>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.</li> <li>Unclear or inconsistent responsiveness determinations could be a red flag of bid manipulation.</li> </ul>	No findings identified	N/A
<b>Conflict of Interest</b>	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.	No findings identified	N/A
<b>Evaluation</b>	<ul style="list-style-type: none"> <li>DOP procedures require procurement staff to compile the evaluation scores, including those from risk management and contract compliance.</li> <li>Public procurement practice states that any arithmetical errors should be corrected, and scores should be recorded in grids/matrices (NIGP).</li> <li>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.</li> </ul>	DOP awarded 10 points to both proponents for the Office of Contract Compliance portion of the collaborative scoring matrix instead of the 15 points awarded by OCC. This error had no impact on the outcome of the award.	DOP Response DOP awarded 10 points to both proponents for the Office of Contract Compliance portion of the collaborative scoring matrix instead of the 15 points award by OCC. This error had no impact on the outcome of the award. The maximum score that a proponent could receive in the OCC category was 15% (points). In order to receive 15% (points) a proponent would have a perfect 10 as their score, which is the maximum score allowed. Ten times fifteen is 150, which is the score assigned to each proponent based on OCC's evaluation (see attached). If OCC

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			scored fifteen times fifteen then the total score for their category would be 225. Thus, changing the total possible maximum score from 1,000 to 1,075. See OCC report attached and screen shot of collaborative scoring below.
<b>Cancellation</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Transparency International states that effective record-keeping of decisions and reasons for cancellation promotes accountability and transparency.</li> </ul>	No findings identified	N/A
<b>Award</b>	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