



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#	1210111
Estimated Dollar Amount:	\$8,475,000
Type of Procurement:	Request for Proposals
Contract Description:	Green Infrastructure and Landscaping Services
Requesting Department:	Department of Watershed Management
All Proponents:	Green Infrastructure and Landscaping Services
DOP Responsive Proponents:	ECL/RAC Green Infrastructure Joint Venture
Recommended Awardee:	ECL/RAC Green Infrastructure Joint Venture

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 three addenda.	No response required
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).	DOP received one proposal for this solicitation.	No response required

Review Area	Risk/Criteria	Results	DOP Response
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. 	<p>DOP found the sole submittal responsive, but IPRO found discrepancies with the submittal:</p> <ul style="list-style-type: none"> The notary public notarized the Proposal Guarantee (Form 6) seven days before the authorized representative for the joint venture signed it. A minority joint venture partner did not submit a Statement of Proponent qualifications. The proponent did not submit the required supplemental documents on its safety programs as required by the Safety Record Form. 	<p>DOP Response</p> <ul style="list-style-type: none"> Form 6 was waived as a minor technicality by the CPO Statement of Proponent Qualifications was evaluated by the User Group Safety Record Form was evaluated by the User Group
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>	<p>The Offeror Contact Directory (Form 4) included a key contact that was deceased at the time of submission.</p>	<p>DOP Response</p> <ul style="list-style-type: none"> DOP has no database or way of confirming whether contacts are deceased during the responsiveness review.
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. Not applicable for RFPs. 	<p>No findings identified</p>	<p>N/A</p>
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. 	<p>No findings identified</p>	<p>N/A</p>
Award	<p>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)</p>	<p>No findings identified</p>	<p>N/A</p>