

JUNE 2019

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

THIRD ANNUAL PROGRESS REPORT ON THE
PROCUREMENT REFORM TASK FORCE



REPORT OF THE OFFICE OF INSPECTOR GENERAL



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**TO THE MAYOR, MEMBERS OF THE CHICAGO
PROCUREMENT REFORM TASK FORCE, MEMBERS OF
CITY COUNCIL, CITY CLERK, CITY TREASURER, AND
RESIDENTS OF THE CITY OF CHICAGO:**

On May 27, 2015, Mayor Rahm Emanuel convened the Chicago Procurement Reform Task Force (PRTF). The Chief Procurement Officer (CPO) and the Inspector General (OIG) for the City of Chicago co-chaired PRTF, which included the CEO, Executive Director, or Chancellor of six of the City's sister agencies: the Chicago Public Schools (CPS), the Chicago Transit Authority (CTA), the Chicago Housing Authority (CHA), the City Colleges of Chicago (CCC), the Chicago Park District (Parks), and the Public Building Commission (PBC).

PRTF undertook a six-month project to identify opportunities for these entities (collectively, the Participating Members) to implement, in a uniform manner, best practices for awarding, managing, and overseeing public contracts. The Task Force's mission was to maximize operational efficiency, increase accountability, and economize public funds.

On November 17, 2015, PRTF reported its findings, grouped into five categories representing the essential principles of government procurement: competition, efficiency, transparency, integrity, and uniformity. The Task Force also made recommendations designed to advance these principles, a 31-point blueprint for refining and standardizing the Participating Members' procurement operations. The recommendations in the 2015 Report of the Chicago Procurement Reform Task Force (2015 PRTF Report) fall into three categories: the first 15 were proposed for "immediate" implementation (i.e., by March 30, 2016); the next 12 for "mid-term" implementation (by December 31, 2016); and last 4 for "long-term" implementation (in "2017 and beyond").

Pursuant to an intergovernmental agreement executed under the authority of an ordinance passed by City Council and approved by Mayor Emanuel in January 2016, the Participating Members fulfilled PRTF's Recommendation #1 by creating a

committee of CPOs (CPO Committee), and charging it with addressing the Task Force's recommendations, tracking their implementation, and issuing quarterly and annual reports. The ordinance also directed the Members to begin work on Recommendation #5 by establishing a committee of Chief Information Officers (the Chicago Government IT Coordination Committee, or ITCC) to manage the technical aspects of the implementation process, and directed OIG to prepare and publish, within 90 days following the issuance of each Annual Report, an independent evaluation of the Members' progress toward implementing the recommendations.

On March 1, 2017, the CPO Committee issued the 2016 Annual Report of the Chicago Procurement Reform Task Force (Annual Report), indicating that the Participating Members had addressed, in whole or part, 27 of the 31 recommendations. On May 30, 2017, OIG issued its First Annual Progress Report on the Chicago Procurement Reform Task Force (Annual Progress Report). Our review concluded that the Members had fully implemented 7 of the PRTF recommendations, formulated policies and processes for implementing 7 others, partially implemented an additional 13, and not yet begun to address the remaining 4. OIG suggested that the CPO Committee set target completion deadlines for the 24 open recommendations.

On March 1, 2018, the CPO Committee issued the 2017 Annual Report, indicating that the Participating Members had fully implemented 18 recommendations and partially implemented the remaining 13. On May 30, 2018, OIG issued its Second Annual Progress Report. Our review concluded that the Members had fully implemented 14 of the recommendations and partially implemented 15 others, and that 2 of the recommendations remained in the "process completed; implementation ongoing" category. The Second Annual Progress Report announced OIG's intention to request the assistance of the inspectors general for the other Participating Members to assess whether the implemented recommendations have been fully and consistently integrated into the Members' day-to-day operations.

On March 6, 2019, the CPO Committee issued the 2018 Annual Report, indicating that the Participating Members had fully addressed 23 recommendations and partially addressed the remaining 8. Prior Annual Progress Reports were based upon a comparison of representations from the Participating Members with the PRTF recommendations required to be implemented pursuant to the IGA approved by the City Council. In preparing this Third Annual Progress Report, OIG solicited the assistance of and worked in coordination with the IGs of the Participating Members to more closely assess whether represented actions have, in fact, been undertaken. Based on that joint-IG undertaking, we conclude that the Participating Members have fully implemented 13 of the recommendations and partially implemented 9 others, and that the remaining 9 recommendations, which are designated as completed, have not yet been fully and consistently operationalized across the board.

This report closes the final reporting cycle for actions undertaken by and during the Emanuel Administration. Mayor Emanuel is to be credited for the creation of the PRTF and his leadership in driving its recommendations to action. Substantial progress has been and continues to be made. However, this report reflects areas of slippage in follow-through and pace that can be addressed only through renewed and express impetus, emphasis, and commitment of resources from the new Administration, most particularly with respect to Stage Three recommendations around data technology and organizationally based information, compliance, and enforcement systems. Notwithstanding the distinct and separate statutory foundations of the Participating Members, the public rightfully regards the constellation of Sister Agencies as constituting the government of the City of Chicago. Ultimately, realization of the core values animating the creation of the PATF—the promotion of uniformity as embodied in standardization of systems where possible, the creation of efficiencies through simplification and joint or unified administration of procurement and contract compliance and enforcement systems, and the resulting mitigation of vulnerabilities for fraud and abuse, as well as the removal of barriers to entry to new and smaller businesses—rests upon the leadership and refreshed priority on the part of the Mayor, who exercises significant influence, if not outright authority, over these systems as a whole.

OIG hopes this report serves as a useful tool for the new Administration in renewing the PRTF's charge and prioritizing the completion of the good work done to date. We also hope the report serves the new City Council well at the next annual PRTF hearing through its efforts to drill down into the areas where implementation is lagging and the recommendations remain works-in-progress. Finally, we thank the Participating Members' Inspectors General and their staff for their invaluable assistance in this year's assessment and for moving forward on the important goals of the PRTF.

Respectfully,

A handwritten signature in blue ink, appearing to read 'J. Ferguson', is positioned above the printed name.

Joseph M. Ferguson
Inspector General
City of Chicago

I. PROGRESS ON TASK FORCE RECOMMENDATIONS

The following table illustrates the Participating Members' progress in implementing PRTF's 31 recommendations, from the outset of the reform process to date.¹

According to the 2018 Annual Report, as supplemented by subsequent conversations with the CPO Committee, the Members have completed 23 recommendations, and work is ongoing or partially completed for the remaining 8. OIG undertook independent review of all recommendations. Further, regarding the 23 ostensibly completed recommendations, OIG and the other Members' inspectors general made inquiries into a sample of 15 (those marked with asterisks in the table). These inquiries discovered inconsistencies in operational implementation.² Ultimately, only 13 of the recommendations designated "completed" in the 2018 Annual Report fully merit that designation.

Rec. No.	PRTF 2016 Annual Report (3/1/17)	OIG First Annual Progress Report (5/30/17)	PRTF 2017 Annual Report (3/1/18)	OIG Second Annual Progress Report (5/30/18)	PRTF 2018 Annual Report (3/6/19)	OIG Third Annual Progress Report (6/4/19)
#1	Completed	Completed	Completed	Completed	Completed	Completed
#2	Ongoing	Completed ◊	Completed	Completed ◊	Completed	Completed
#3*	Completed	Completed	Completed	Completed	Completed	Inconsistent implementation
#4	Ongoing	Partially completed	Partially completed (Set target date of 12/31/18)	Partially completed	Ongoing (New target date: 6/30/19)	Partially completed
#5	Ongoing	Partially completed	Completed	Completed	Completed	Completed
#6*	Ongoing	Partially completed	Completed	Completed	Completed	Inconsistent implementation
#7	Ongoing	Partially completed	Partially completed (Set target date of 12/31/18)	Partially completed	Partially completed (New target date: 12/31/19)	Partially completed
#8*	Completed	Completed ◊	Completed	Completed	Completed	Inconsistent implementation

¹ In our First and Second Annual Progress Reports, OIG described the entries marked with a diamond (◊) as either "process completed; implementation ongoing" or "policy completed; implementation ongoing." Here, to maximize clarity and present a more straightforward picture of the Participating Members' progress, we change the designations to simply "completed."

² OIG selected these 15 recommendations for further inquiry because they are susceptible to assessment at the operational level. In other words, the nature of these recommendations allowed OIG and our IG colleagues to take an in-the-weeds approach, asking questions and requesting documentation to show not only that each Participating Member has formally adopted the policies and procedures necessary to implement a particular recommendation, but also actual compliance with those policies and procedures in the Member's everyday work.

Rec. No.	PRTF 2016 Annual Report (3/1/17)	OIG First Annual Progress Report (5/30/17)	PRTF 2017 Annual Report (3/1/18)	OIG Second Annual Progress Report (5/30/18)	PRTF 2018 Annual Report (3/6/19)	OIG Third Annual Progress Report (6/4/19)
#9*	Completed	Completed ◊	Completed	Partially completed	Completed	Partially completed
#10*	Completed	Completed	Completed	Completed	Completed	Inconsistent implementation
#11*	Completed	Partially completed	Partially completed (Set target date of March 31, 2018)	Partially completed	Completed	Completed
#12*	Completed	Completed	Completed	Completed	Completed	Inconsistent implementation
#13*	Completed	Completed	Completed	Completed	Completed	Completed
#14	Completed	Completed	Completed	Completed	Completed	Completed
#15*	Ongoing	Partially completed	Partially completed (Set target date of June 30, 2018)	Partially completed	Completed	Completed
#16*	Ongoing	Completed ◊	Completed	Completed	Completed	Inconsistent implementation
#17	Ongoing	Completed ◊	Ongoing (Set target date of 3/31/19)	Partially completed	Ongoing (New target date: 3/31/20)	Partially completed
#18	Ongoing	Partially completed	Partially completed (Set target date of 6/30/19)	Partially completed	Partially completed	Partially completed
#19	Ongoing	Partially completed	Partially completed (Set target date of 6/30/19)	Partially completed	Partially completed	Partially completed
#20	Ongoing	Partially completed	Partially completed (Set target date of 3/31/18)	Partially completed	Partially completed (New target date: 3/31/19)	Partially completed
#21*	Ongoing	Completed◊	Completed	Completed ◊	Completed	Completed
#22	Ongoing	Completed◊	Completed	Completed	Completed	Completed
#23*	Ongoing	Partially completed	Completed	Completed	Completed	Inconsistent implementation
#24*	Ongoing	Partially completed	Completed	Completed	Completed	Inconsistent implementation
#25*	Ongoing	Partially completed	Partially completed (Set target date of 6/30/18)	Partially completed	Completed	Completed

Rec. No.	PRTF 2016 Annual Report (3/1/17)	OIG First Annual Progress Report (5/30/17)	PRTF 2017 Annual Report (3/1/18)	OIG Second Annual Progress Report (5/30/18)	PRTF 2018 Annual Report (3/6/19)	OIG Third Annual Progress Report (6/4/19)
#26*	Ongoing	Partially completed	Completed	Partially completed	Completed	Inconsistent implementation
#27	Completed	Completed	Completed	Completed	Completed	Completed
#28	Not addressed	Not yet begun	Ongoing (Set target dates of 3/31/19 for Phase 1 and 12/31/21 for Phase 2)	Partially completed	Ongoing (New target dates: 12/31/20 for Phase 1 and 12/31/22 for Phase 2)	Partially completed
#29	Not addressed	Not yet begun	Ongoing (Set target date of 3/31/19)	Partially completed	Completed	Completed
#30	Not addressed	Not yet begun	Ongoing (Set target date of 3/31/19)	Partially completed	Completed	Completed
#31	Not addressed	Not yet begun	Ongoing (Set target date of 3/31/19)	Partially completed	Ongoing	Partially Completed

As we discuss below, in addition to continuing to work collaboratively to complete the recommendations reported as “partially completed” or “ongoing,” each Participating Member needs to ensure that it fully and consistently meets its commitments and obligations under all of the recommendations reported as completed. In 2020, when OIG prepares its Fourth Annual Progress Report, we anticipate working again with the other Members’ IGs; we trust that our follow-up inquiries will find full and consistent implementation of all completed recommendations at the operational level.

A. THE IMMEDIATE RECOMMENDATIONS

- RECOMMENDATION #1
 - Lead agency: City

Create a Committee of the Participating Members’ CPOs to rule on certain administrative decisions, address obstacles to coordination, and ensure best practices across the City and its sister agencies.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> The Participating Members performed this threshold administrative task.

- RECOMMENDATION #2
 - Lead agency: City

Charge the CPO Committee with addressing the Task Force recommendations, tracking their implementation, and issuing quarterly progress reports.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> The CPO Committee received its charge and remains engaged in fulfilling it.

- RECOMMENDATION #3
 - Lead agency: CTA

Implementation reviewed by Participating Members' Inspectors General

Establish minimum standards by which all Participating Members will publish their anticipated sole source awards, receive public and vendor feedback, and make decisions about whether a solicitation is necessary.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> Each Participating Member has created a Non-Competitive Review Committee. However, IG review discovered incomplete compliance with the threshold requirement of a publicly posted justification for all non-competitive sole source procurements. Moreover, not every justification package submitted to the Non-Competitive Review Committees has included each of the documents required under the recommendation. (We note that some Members have not yet awarded any sole-source contracts under the new policy and procedure.)

- RECOMMENDATION #4
 - Lead agency: City

Hire or secure pro bono services from a law firm to: (a) Identify contract provisions that could be subject to standardization across Participating Members' templates, and draft uniform contract templates incorporating the required terms of the Participating Members, including contract duration and number of renewals and

(b) Where appropriate, standardize solicitation documents issued by Participating Members and the documents required in response.

Status Assessment in 2018 Annual Report	Ongoing (Target date: 12/31/2018 6/30/2019)
2019 OIG Evaluation	<p><u>Partially completed.</u> In 2016, the CPO Committee retained Clark Hill PLC to undertake the project outlined in this recommendation on a pro bono basis. After completing some preliminary work, Clark Hill left the project in April 2017. At that point, progress on the City's eProcurement system led it to rethink its strategy for moving forward. Briefly, eProcurement streamlines the City's procurement processes, tracking all contract-related activities through the eProcurement Portal. The City began the process of extending the eProcurement Modernization project to all facets of the procurement process in 2018. For this purpose, the City engaged a consultant familiar with both the eProcurement system and government agency contracts, setting a target date of December 31, 2018 to complete this recommendation.</p> <p>The Participating Members did not meet this target date. Although they continue to work with outside counsel to develop standardized templates, they now believe that "any theoretical efficiency gains realized through the standardization across agencies would result in awkwardly organized templates at the individual agency level." Citing the need to "assess[] the feasibility that the organization of contract template sections could be a potential way to achieve a level of uniformity that does not reduce operational efficiencies or impact the desired legal effect of contract documents or provisions," they have set a new target date of June 30, 2019. Given that this is a full three years after the original date set by the Task Force, we strongly urge the Members to prioritize completing this aspect of the reform project.</p>

- RECOMMENDATION #5
 - Lead agency: ITCC

Charge the Chicago Government IT Coordination Committee [ITCC], which consists of the CIOs of the Participating Members, with identifying the procurement-related

systems that can be shared and developed jointly and developing a schedule for implementation.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> ITCC has fulfilled this recommendation by establishing (and, as needed, revising) the recommended schedules for implementation set out under Recommendations #7, #17, and #28.

- RECOMMENDATION #6
 - Lead agency: CCC

Implementation reviewed by Participating Members' Inspectors General

Post all contracts, vendors, and subcontractors on agency websites in a user-friendly and searchable format.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> While OIG understands that, as a practical matter, the "searchable format" component of this recommendation is contingent on the completion of the website contemplated in Recommendation #7, IG review discovered that the majority of Participating Members have posted the required material on their websites. There are, however, some omissions. The implementation with regard to subcontractors is particularly lacking. Each Member needs to ensure that " <u>a</u> ll contracts, vendors, and subcontractors" are available, and that they are presented in the most user-friendly manner possible given each agency's current technological capabilities and constraints. OIG stresses the importance of ready public access to this information; full transparency on this front lies at the center of the PRTF mission

- RECOMMENDATION #7
 - Lead agency: ITCC

Create an easily accessible website for vendors and the public that provides a single location for: all of the Participating Members' current procurement opportunity

listings and other procurement related information such as the buying plan, notices of award, and prequalified pools; a list of all debarred vendors; and all current contract and vendor databases.

Status Assessment in 2018 Annual Report	Partially completed (Target date: 12/31/2018 12/31/2019)
2019 OIG Evaluation	<p><u>Partially completed.</u> The ITCC has made progress toward developing a website that consolidates information from and opportunities presented by the Participating Members. The Members have “participated in requirements gathering activities (survey and workshop), finalized requirements for bid opportunities and awarded contracts data sets, and finalized the data elements for subcontractors through a related recommendation.” In addition, a “process to transmit data from each agency has been established,” the Members have begun “providing files for awarded contracts and bid opportunities,” and “[s]ubcontractor data transmission and new uniform web portal development are in progress.”</p> <p>Securing funding has been a principal impediment to completing this recommendation. This prevented the ITCC from meeting its December 31, 2018 target date. However, the funds are now secure and the ITCC anticipates launching the consolidated website (www.chicagoprocurement.info) by the end of 2019.</p> <p>As we noted in last year’s progress report, once the website launches, OIG will undertake an independent assessment of whether this resource helps achieve the Task Force’s goals of increasing transparency, removing barriers to entry for vendors, and facilitating effective procurement planning across agencies.</p>

- RECOMMENDATION #8
 - Lead agency: CHA

Implementation reviewed by Participating Members’ Inspectors General

Establish minimum disclosure requirements for subcontractors and require posting subcontractor information online.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> The Participating Members agreed to “include uniform minimum language in solicitation documents and flow down contract provisions requiring contractors to certify that neither they have violated, nor do they have any knowledge of their subcontractors having violated, any state, federal, or local laws, rules or regulations or any City or Sister Agency code or policy and have not been subject to any debarment, suspension, or other disciplinary action by any government agency.” However, IG review discovered that some of the Participating Members have not yet incorporated the required language into all required documents. One Member has not yet included the language in its compliance schedules, economic disclosure statements, or contractor’s affidavits, and another has not included the language in its invitations to bid. On the whole, implementation of this recommendation is largely complete, but full compliance has not yet been achieved.

- RECOMMENDATION #9

- Lead agency: City

Implementation reviewed by Participating Members’ Inspectors General

Establish minimum standards for conducting due diligence of vendors before entering into a contract.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Partially completed.</u> Each of the Participating Members has implemented the due diligence steps designated under this requirement. However, access to the City’s debt database (IRIS) is necessary to check for outstanding City debt. The ITCC is still working to provide IRIS access to the other Participating Members. Last year, OIG was informed that the CPO Committee had set a target date of December 31, 2018 to complete implementation of this recommendation. The Committee should strive to

	achieve this step by June 30, 2019—the third anniversary of the recommendation's original target date—at the absolute latest.
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- RECOMMENDATION #10
 - Lead agency: CTA

Implementation reviewed by Participating Members' Inspectors General

Establish uniform rules governing resolicitation of contracts due to significant changes in scope or value.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> The Participating Members committed to adopt specific policies “prohibiting significant modification of a contract, limiting the amount of time a contract can be extended, and/or increasing the value of a contract.” IG review, however, discovered that not all Members have formally adopted the full set of agreed-to policies.

- RECOMMENDATION #11
 - Lead agency: PBC

Implementation reviewed by Participating Members' Inspectors General

Evaluate the consistency of MBE/WBE/DBE certifications accepted by Participating Members.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> While the Participating Members continue to accept certifications from a variety of agencies, IG review confirmed that they generally rely on certification by the City of Chicago, Cook County, or the Illinois Unified Certification Program, and that the standards under which each Member operates are essentially consistent.

- RECOMMENDATION #12
 - Lead agency: PBC

Implementation reviewed by Participating Members' Inspectors General

Implement the uniform criteria and processes for evaluating Good Faith Efforts regarding requests for waivers of MBE/WBE/DBE goals that are currently being developed and will be recommended by the Government Procurement Compliance Forum.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> IG review revealed that while all Participating Members require contractors to document good faith efforts to meet MBE/WBE/DBE goals, not all efforts on this front are as rigorous as the template checklist developed pursuant to this recommendation. This stands in contrast to the Members' agreement that the checklist "is the minimum standard . . . to evaluate good faith efforts."

- RECOMMENDATION #13
 - Lead agency: CCC

Implementation reviewed by Participating Members' Inspectors General

Require a written, publicly posted protest process for each Participating Member.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> IG review confirmed that each Participating Member "has adopted, with slight variations as required to meet unique, member-specific legal mandates," the sort of uniform process contemplated in this recommendation.

- RECOMMENDATION #14
 - Lead agency: Parks

Examine whether Participating Members should support a change in state law to eliminate the newspaper notice requirement for contract solicitations.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> After researching the issue, the CPO Committee decided to preserve the status quo. It based

	this decision on an estimate of the resources that would be required to pursue the change and educate the vendor community, and the CPO Committee's judgment that its current resources should be dedicated to other aspects of reform.
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- RECOMMENDATION #15
 - Lead agency: CPS

Implementation reviewed by Participating Members' Inspectors General

Establish a process for information-sharing and collaboration among Participating Members on personnel matters such as professional development efforts and recruitment.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> IG review confirmed that, with some minor exceptions, each Participating Member has met its commitment to provide the required information for posting on the PRTF SharePoint site.

B. THE MID-TERM RECOMMENDATIONS

- RECOMMENDATION #16
 - Lead agency: CTA

Implementation reviewed by Participating Members' Inspectors General

Establish uniform standards based on best practices for approval of noncompetitive awards, including small purchase, emergency, and sole source.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> This recommendation contemplates “uniform standards.” And in the annual report, the Participating Members commit to the “incorporation” of specific policies and procedures related to small and emergency purchases. (The issue of sole-source purchases is addressed above under Recommendation #3.) However, IG review discovered that not all Members’ relevant policies and procedures match

	those required under this recommendation. Indeed, some Members' operations bear little resemblance to these standards.
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- RECOMMENDATION #17

- o Lead agency: ITCC

Develop a common electronic Economic Disclosure Statement system that: allows for the submission of uniform information for all Participating Members' vendors and subcontractors; integrates disclosures and certifications into Participating Members' procurement databases; automates conflict checks and due diligence; and can be updated in real time.

Status Assessment in 2018 Annual Report	Ongoing (Target date: 3/31/2019 3/31/2020)
2019 OIG Evaluation	<u>Partially completed.</u> The CPO Committee upgraded the current common EDS system to the latest version in 2017. The Committee also identified funding to update to a modern application platform that can support a standard EDS for use across all Participating Members. The ITCC set a target date of March 31, 2019 to transition to the new platform. However, in 2018, "the project was put on hold during the planning and requirements phase pending the completion of a related procurement process." The new target date is March 31, 2020.

- RECOMMENDATION #18

- o Lead agency: City

Establish a process for the use of joint pre-qualified vendor pools that recognizes the different statutory requirements applicable to Participating Members.

Status Assessment in 2018 Annual Report	Partially completed (Target date: 6/30/2019)
2019 OIG Evaluation	<u>Partially completed.</u> The CPO Committee noted in the 2017 Annual Report that the next steps on Recommendation #18 depend on the finalization of Recommendation #4 (the standardization of contract boilerplate) and set a June 30, 2019 target date to complete this recommendation. In the interim, the City proposed following its Reference Contract Policy to develop contracts for particular goods/services based on

	existing reference contracts for the provision of those goods/services. According to the 2018 Annual Report, the Participating Members have adopted this proposal.
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- RECOMMENDATION #19

- Lead agency: City

Develop best practices for routine audits of procurement functions and contract awards, and evaluate use of shared services to perform this function.

Status Assessment in 2018 Annual Report	Partially completed (Target date: 6/30/2019)
2019 OIG Evaluation	<u>Partially completed.</u> As noted in last year's progress report, the City decided to engage a third party to assist Participating Members with compliance audits. The Members collaborated to draft the terms of the task order, focusing on collecting, reviewing, analyzing, and reporting, separately and cumulatively, on MBE/WBE/DBE utilization, as well as Equal Employment Opportunity and Chicago residency/local hiring aspects of current contracting practices. The Task Order Request is under review and pending award. OIG recommends that once the third party is engaged, the CPO Committee develop an action plan, including timelines. This will prompt City Council to focus on this area at its next PRTF hearing and enable OIG to measure progress against clear benchmarks.

- RECOMMENDATION #20

- Lead agency: CCC

Implementation reviewed by Participating Members' Inspectors General

Require each Participating Member to create a comprehensive procurement manual for its staff that is user-friendly and available to the public.

Status Assessment in 2018 Annual Report	Partially completed (Target date: 9/30/2018 3/31/2019)
2019 OIG Evaluation	<u>Partially completed.</u> IG review confirms that all Participating Members have drafted manuals. However, not all of the manuals are readily available to the public (i.e., posted online). The CPO Committee should set a new

	target date for the Members to meet this final aspect of the recommendation.
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- RECOMMENDATION #21
 - Lead agency: City

Implementation reviewed by Participating Members' Inspectors General

Codify and provide training to Participating Members' employees on procurement rules and regulations, including appropriate authority, prohibited communications, and reporting obligations.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> DPS has begun, and will continue, to host training sessions designed to educate the Participating Members' personnel on their responsibilities under procurement-related laws and regulations. IG review confirms that Members avail themselves of these sessions and/or provide training to their own personnel.

- RECOMMENDATION #22
 - Lead agency: City

Develop universal programming for vendor outreach and training.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> DPS includes the other Participating Members in the City's extensive vendor training and outreach program. The City has also "begun spearheading joint outreach efforts, such as the annual Vendor Fair, which includes all of the Sister Agencies, the State, and the County."

- RECOMMENDATION #23
 - Lead agency: PBC

Implementation reviewed by Participating Members' Inspectors General

Develop uniform, minimum contract close-out procedures for use by all Participating Members.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> IG review confirms that each Participating Member follows a close-out process. However, the statement in the annual report that the checklist developed under this recommendation “is being used by all Participating Members” is not accurate. Some Members use the checklist, but others omit certain elements, or even follow substantially different processes altogether.

- RECOMMENDATION #24
 - Lead agency: PBC

Implementation reviewed by Participating Members’ Inspectors General

Develop minimum standards for project managers and other on-site review personnel to ensure vendor compliance.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> Most of the Participating Members have adopted site-visit procedures that meet the standard set by the model guide created under this recommendation. However, one Member’s IG was unable to confirm that its agency actually utilizes the guide, and a second Member’s IG determined that its agency was still reviewing, and had not adopted, the guide.

- RECOMMENDATION #25
 - Lead agency: Parks

Implementation reviewed by Participating Members’ Inspectors General

Establish a process for information-sharing among Participating Members regarding poor performance, noncompliance, or wrongdoing of a vendor.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> Near the end of 2018, Parks uploaded a “Default Documentation Spreadsheet” to the PRTF

	Sharepoint site, along with a procedures document to provide guidance to the Participating Members. The Members will update the spreadsheet on a quarterly basis and the data will remain on the spreadsheet for 3 years. IG inquiry confirmed that each Member has access to and intends to use the spreadsheet.
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- RECOMMENDATION #26

- Lead agency: CHA

Implementation reviewed by Participating Members' Inspectors General

Seek to establish reciprocal debarment among Participating Members through the use of a debarment review board or another mechanism as permitted by law.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Inconsistent implementation.</u> The Participating Members determined that the "key deliverable for this recommendation is new, standard reciprocal debarment language to be added to [their] debarment policies/procedures if the information is not already included." CHA proposed specific language and, according to the annual report, each Member has "included [this] language in its debarment policies/procedures." This is inaccurate. IG review discovered that not all Members have adopted the prescribed language.

- RECOMMENDATION #27

- Lead agency: CPS

Establish uniform practices, where permitted by law, to expand preferences for local vendors and support a workforce development or similar contract award preference.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> Only the City of Chicago, as a home-rule unit, has the unilateral authority to preference local vendors and labor. The CPO Committee determined that implementing a uniform approach to these sorts of contract preferences would require securing

	amendments to state law. While achieving such contract preferences will likely require considerable time and resources, OIG reiterates its suggestion that the Members consider the tremendous local benefits the CPO Committee could help to realize by prioritizing these issues and securing resources for legislative initiatives in this area.
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C. THE LONG-TERM RECOMMENDATIONS

- RECOMMENDATION #28
 - Lead agency: ITCC

Implement a universal procurement system that serves as a single point of entry for posting and responding to all Participating Members' procurement opportunities, and as a central repository for all contract and vendor information.

Status Assessment in 2018 Annual Report	Ongoing (Target dates: 3/31/2019 and 12/31/2021 12/31/2020 and 12/31/2022)
2019 OIG Evaluation	<u>Partially completed.</u> Due to resource issues, the ITCC pushed back the target dates for this recommendation. ITCC now anticipates completing the procurement process for phase 1—documenting the Participating Members existing processes, researching legal and regulatory requirements, and making recommendations concerning what changes will be necessary to support a single system—by March 31, 2019, and completing phase 1 itself by the end of 2020. Completion of phase 2—full implementation of a universal system—is anticipated by the end of 2021. Given the complexity of this undertaking, OIG agrees that the revised timeline is reasonable, but encourages the Participating Members to remain committed to fulfilling this recommendation, which goes to the very heart of the PRTF's aspiration to maximize efficiency in municipal contracting. OIG also encourages City Council to make this an area of focus in the annual hearing so that a discussion is had about necessary resources and the means of securing them from and across the Participating Members.

- RECOMMENDATION #29

- Lead agency: City

Identify compliance functions that can be shared among Participating Members, including MBE/WBE compliance activities, and establish a joint compliance field team.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> DPS researched the possibility of creating cross-agency compliance operations, concluding that the “logistical, managerial, and training requirements” of a joint compliance team would not realize sufficient efficiencies to offset the costs. DPS did, however, determine that each Participating Member uses the same compliance tracking software, and raised the possibility of “leverag[ing] the spend of all the agencies by [having] one agency lead[] the procurement of [] software with the ability to customize by agency (given the different metrics being tracked.” OIG encourages City Council to make the joint compliance team cost-benefit assessment a focus of the annual hearing. OIG also encourages the CPO Committee to pursue the lead agency concept, and to track and report on its progress in future reporting cycles.

- RECOMMENDATION #30

- Lead agency: City

Secure a pro bono study regarding the financial impact of the City’s risk shifting contractual provisions.

Status Assessment in 2018 Annual Report	Completed
2019 OIG Evaluation	<u>Completed.</u> The Participating Members determined that “[t]his recommendation is centered on the implications of shifting risk from contractors back to the city—in particular, the impact on obtaining the best value for the city in the form of lower contract bids and the effect on inclusive economic growth opportunities for local, small, minority, and women-owned businesses.”

	<p>To evaluate those implications, DPS undertook its own study. Specifically, it created a comprehensive matrix with common risk provisions to use as a tool for comparison analysis across cities; interviewed public officials, academics, and legal practitioners; reviewed pertinent literature; and worked with the Chicago Finance Department's Risk Management Team to identify which methods of shifting risk would create the least municipal liability. Ultimately, "rather than focusing exclusively on contract provisions," DPS "decided to think about additional ways to lower risk for contractors." The annual report identifies some areas of future inquiry in this area.</p> <p>As described, DPS's study appears adequate to meet this recommendation. OIG suggests, however, that as the Participating Members continue to engage with the issue of risk management, they should seek input and advice from the various academic and civic institutions with expertise on the subject. OIG further recommends that, with the study complete, the CPO Committee should develop an action plan for implementing any changes in line with the results, including timelines, in order to prompt City Council to focus on this area at its next PRTF hearing and to enable us to measure progress against clear benchmarks.</p>
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- RECOMMENDATION #31

- Lead agency: City

Evaluate the benefits of center-led or consolidated procurement among the Participating Members.

Status Assessment in 2018 Annual Report	Ongoing (Target date: 3/31/2019)
2019 OIG Evaluation	<u>Partially completed.</u> In discussions subsequent to the issuance of the 2018 annual report, the CPO Committee indicated that it anticipates completing the evaluation contemplated under this recommendation by June 30, 2019. OIG suggests that once the evaluation is complete, the Committee should develop an action plan to implement related reforms, including timelines, in order to prompt City Council to focus on this area at its next

	PRTF hearing and to enable us to measure progress against clear benchmarks.
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II. CONCLUSION

Under the leadership of the CPO and IT Coordination Committees, the Participating Members have continued to progress toward implementation of the 31 Recommendations presented in the 2015 PRTF Report. While work remains—and some work deemed completed requires double checking to ensure that it bears fruit at the operational level across the board—OIG appreciates the committees' and Members' efforts to date, and looks forward to monitoring their continued progress toward achieving these vitally important reforms. We also thank our IG colleagues at our sister agencies for their invaluable assistance with the review process.

MISSION

The City of Chicago Office of Inspector General (OIG) is an independent, nonpartisan oversight agency whose mission is to promote economy, efficiency, effectiveness, and integrity in the administration of programs and operations of City government. OIG achieves this mission through,

- administrative and criminal investigations by its Investigations Section;
- performance audits of City programs and operations by its Audit and Program Review Section;
- inspections, evaluations and reviews of City police and police accountability programs, operations, and policies by its Public Safety Section; and
- compliance audit and monitoring of City hiring and employment activities by its Hiring Oversight Unit.

From these activities, OIG issues reports of findings and disciplinary and other recommendations,

- to assure that City officials, employees, and vendors are held accountable for violations of laws and policies;
- to improve the efficiency and cost-effectiveness of government operations; and
- to prevent, detect, identify, expose, and eliminate waste, inefficiency, misconduct, fraud, corruption, and abuse of public authority and resources.

AUTHORITY

OIG's authority to produce reports of its findings and recommendations is established in the City of Chicago Municipal Code §§ 2-56-030(d), -035(c), -110, -230, and 240.

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