



BROWARD OFFICE OF THE INSPECTOR GENERAL

FOR IMMEDIATE RELEASE

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Misconduct and Gross Mismanagement in the Town of Pembroke Park's Procurement of Professional Engineering Services

The Broward Office of the Inspector General (OIG) issued a [final report](#) today finding misconduct and gross mismanagement in the Town of Pembroke Park's procurement of engineering services between 1999 and 2015. The OIG concluded that administrative officials circumvented government procurement laws and exclusively used Craig A. Smith and Associates, Inc. (CAS) – its interim town engineer *and* consultant engineering firm *and* (for twelve years of that time) its lobbyist or grant specialist – on 66 out of 67 procurements for professional engineering services.

Among those who were found to engaged in misconduct and gross mismanagement was Town Manager Robert Levy, who retired on January 3, 2018, as the OIG was finalizing its report.

The OIG determined that the town did not issue any purchase orders prior to procurements, did not issue requests for qualifications (RFQs) or create a pool of qualified firms, did not issue requests for proposals (RFPs) from that pool for individual projects, and did not competitively negotiate for engineering services. On at least 66 occasions, the responsible town officials disregarded the local code that mandated they issue prior purchase orders. On 22 occasions, they also flagrantly and repeatedly disregarded the federal and state laws that required that the town procure engineering services through a fair, open, and competitive solicitation; that terms be competitively negotiated; that the procurements be free of conflicts of interest; or some combination of these requirements.

The town paid CAS approximately \$3,323,245 in public funds for the 22 projects.

The town began to address these concerns after the OIG investigation became known to officials and staff. For example, it conducted a solicitation for consultant engineering services and hired a full time town engineer who became unaffiliated with CAS. Finally, on January 10, 2018, the town adopted a revised procurement ordinance.

Encouraged by the town's commitment to addressing the deficiencies identified in this report, the OIG requested that the town provide a status report on or by May 3, 2018.

The OIG urges all local governments here in Broward County to counsel those responsible for the procurement of architectural, engineering, landscape architectural, and surveying and mapping services on the benefits of following and the hazards of failing to follow the Consultants' Competitive Negotiation Act (CCNA), the state law at the heart of the misconduct and gross mismanagement detailed in the OIG's report.

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