

*Office of the*  
**INSPECTOR GENERAL**



**REPORT OF INVESTIGATION**

File Number: 06-085

Agency: Georgia Department of Transportation

Basis for Investigation: Anonymous Complaint

Allegations: Contract Steering and Acceptance of Gifts and Gratuities

Date Opened: October 31, 2006

Investigated By: Deborah W. Copeland, Deputy Inspector General

Date of Report: November 21, 2006

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Elizabeth P. Archer, Inspector General

# OFFICE OF THE INSPECTOR GENERAL



File Number: 06-085

## EXECUTIVE SUMMARY

This preliminary inquiry was conducted based on the receipt of an anonymous allegation that two employees from the Georgia Department of Transportation engaged in acts of contract impropriety. Specifically, the complainant alleged that Jane Smith, Office of Transportation Data (OTD) Administrator, used her position to steer contracts and influence hiring decisions, and that Michelle Young, an OTD Branch Manager, accepted hundreds of dollars in gifts from Southern Traffic Systems, a state vendor.

The Office of Inspector General worked with Department of Transportation staff in Legal, Internal Investigations, Personnel, and Contracts in reviewing internal documents relating to OTD's reorganization, contracts, and a myriad of employee issues. Interviews were conducted with numerous individuals, including the named vendor, several Information Technology employees, as well as the two employees named in the complaint.

The preliminary inquiry revealed that the Department of Transportation's OTD has undergone tremendous changes in the last few years. The changes included transforming its staff, reconfiguring mapping production, and revamping data collection efforts to embrace the challenges of the newest technological demands. All of these changes occurred while Smith was the Administrator, and Young was one of her Branch Managers. The preliminary inquiry revealed that actions taken by Smith and Young were part of a strategic plan design. The inquiry further revealed that managerial actions were carefully thought of and carried out through approved methods, all within policy and procedures currently in place at the Department of Transportation, Department of Administrative Services, and Georgia Technology Authority.

After a review of the facts, we concluded that the allegations lack merit and cannot be substantiated.



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## **I. BASIS FOR INVESTIGATION**

In September 2006, the Office of Inspector General (OIG) received an anonymous complaint alleging that two employees from the Georgia Department of Transportation (DOT) engaged in acts of contract impropriety. Specifically, the complainant alleged that Jane Smith, Office of Transportation Data (OTD) Administrator, used her position to steer contracts and influence hiring decisions, and that Michelle Young, an OTD Branch Manager, accepted hundreds of dollars in gifts from Southern Traffic Systems (STS), a state vendor.

## **II. ACTION TAKEN IN FURTHERANCE OF INVESTIGATION**

During the course of this preliminary inquiry, OIG worked with DOT staff in Legal, Internal Investigations, Personnel, and Contracts reviewing internal documents relating to OTD's reorganization, contracts, and a myriad of employee issues. Interviews were conducted with numerous individuals, including the named vendor, several Information Technology employees, as well as the two employees named in the complaint. We also reviewed official files and retrieved relevant documents, including DOT's Policy (2255.9) on Gifts, Honoraria and Private Compensation of DOT Employees.

## **III. NARRATIVE**

### **A. Background**

DOT plans, constructs, maintains and improves the state's road and bridges; provides planning and financial support for other modes of transportation such as mass transit and airports; provides airport and air safety planning; and provides air travel to state departments. DOT also provides administrative support to the State Tollway Authority and the Georgia Rail Passenger Authority.

The employees named in the allegation are assigned to work in the Department's OTD. OTD is responsible for road classifications; systems inventory; collecting road inventory data; managing road characteristics database (RC File), including data input and quality control; collecting traffic count data (portable and fixed locations) and vehicle classification. The office is also charged with updating and printing the State Map, State Traffic Flow Map, City and County Maps, and assisting with the State Railroad Map and the State Bicycle Route Map.

### **B. Preliminary Inquiry**

On November 1, 2006, OIG met with officials from DOT including Angela Woodliff, Deputy Personnel Director, William Green, Investigator, and Chip Meeks, Transportation Accounts Manager. These officials advised that OTD has been the focus of several grievances over the past few years; none, however, mirrored the allegations raised in this OIG complaint.

The preliminary inquiry confirmed that DOT does business with Venturi via Georgia Technology Authority's (GTA) state-wide contract with COMSYS. COMSYS provides state agencies a web-based Vendor Management Solution called GTA IT Staffing Management System (ITMS). COMSYS is the vendor manager and state agencies work directly with COMSYS staff to define and post job requirements, produce and approve invoices and process agency payments. Particularly relevant to this complaint, is the fact that DOT works with GTA's COMSYS, who in turn provides prequalified IT staff from Venturi to work in the OTD. Therefore, this disputes the complainant's allegation that Smith hand-picked individuals to fill vacant positions within OTD. Documentation examined by OIG revealed that proper procedures were followed by Administrator Smith within OTD. Also, the records did not reflect any indication of impropriety.

The preliminary inquiry further disclosed that certain contracts were not awarded "sole source" as the complainant alleges. Two contracts with vendor STS exist and were both competitively bid through the Department of Administrative Services. Again, records examined by OIG revealed no indication of impropriety and that proper procedures were followed by Administrator Smith.

The inquiry also revealed DOT's strict interpretation and enforcement of its gift policy. Employees are obligated to comply with governing laws, executive orders, rules and regulations governing the receipt of gifts from any supplier/vendor. In addition, OIG worked with the President and owner of STS who agreed to conduct an official record review. There is no evidence to support the allegation that Smith accepted gifts from the vendor STS. There is, however, evidence to the contrary, wherein employees returned gifts given to them by STS.

During the inquiry, OIG interviewed a number of individuals whose names were provided in the anonymous complaint as potential witnesses. None of the individuals interviewed possessed corroborating information which could serve to substantiate the complaint.

When interviewed by OIG, both Smith and Young denied the allegations made against them. Each of these individuals provided OIG with free access to documentation they possessed in support of their duties and responsibilities while assigned to OTD.

OIG verified that OTD, under the leadership of Smith, has undergone a massive reorganization over the last few years. Agency records document the fact that the Personnel Office was consulted every step of the way about turnover of personnel. Moreover, job study analyses were also conducted to ensure appropriate qualification levels necessary for the division to operate with efficiency and business acumen. It is a matter of record that there were many staff members, formerly or currently employed, who were unhappy about the reorganization. However, DOT Commissioner Harold Linnenkohl completely supports the changes that have evolved and considers them crucial to business operation.

#### **IV. CONCLUSION**

The preliminary inquiry revealed that DOT's OTD has undergone tremendous changes in the last few years. The changes included transforming its staff, reconfiguring mapping production, and revamping data collection efforts to embrace the challenges of the newest technological demands. All of these changes occurred while Smith was the Administrator, and Young was one of her Branch Managers.

The preliminary inquiry revealed that actions taken by Smith or Young, or any other Branch Manger, were part of a strategic plan design. The inquiry further revealed that managerial actions were carefully thought of and carried out through approved methods, all within policy and procedures in places at DOT, Department of Administrative Services, and Georgia Technology Authority.

After a review of the facts, we find no substance to the allegations that Smith and Young engaged in contract improprieties.

#### **V. RECOMMENDATIONS**

None.

#### **VI. REFERRALS**

As a result of our OIG findings, we informed the DOT Commissioner that the allegations were not substantiated.