



MARYLAND OFFICE OF THE
INSPECTOR GENERAL FOR EDUCATION

Richard P. Henry
Inspector General

Sean T. Chaney
Deputy Inspector General

March 4, 2026

MEMORANDUM

SERVED VIA EMAIL: superintendent@pgcps.org

To: Dr. Shawn Joseph, Ed.D.
Interim Superintendent
Prince George's County Public Schools
Sasser Administration Building
14201 School Lane
Upper Marlboro, MD 20772

RE: OIGE Case: 22-0013-I

Dear Superintendent Joseph,

The Maryland Office of the Inspector General for Education (OIGE) has concluded its investigation of Prince George's County Public School system. Our investigative findings are included in the attached Investigative Synopsis report.

The OIGE requests that Prince George's County Public Schools provide a written response to action(s) taken on or before Friday, March 27, 2026.

Please feel free to contact my office if you have any questions or concerns.

Respectfully,

Richard P. Henry
Inspector General

Enclosure

cc: Darnell L. Henderson, Esq., Chief Counsel, Office of Legal Counsel
Brannndon D. Jackson, Chairperson, PGCPS - Board of Education
Members At Large, PGCPS County Board of Education
Frank Turner, II, PGCPS, Integrity and Compliance Officer
Joshua L. Michael, Ph.D., President, Maryland State Board of Education
Carey M. Wright, Ed.D., Maryland State Superintendent of Schools



MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION



Investigative Synopsis

OIGE Case 22-0013-I

Issued: March 4, 2026



MARYLAND OFFICE OF THE
INSPECTOR GENERAL FOR EDUCATION
Richard P. Henry, Inspector General



March 4, 2026

To the Citizens of Maryland and Prince George's County,

The General Assembly, at its First Session after the adoption of the Maryland Constitution, established throughout the State a thorough and efficient System of Free Public Schools and shall provide by taxation, or otherwise, for their maintenance.¹ The Maryland Office of the Inspector General for Education (OIGE) plays a crucial role in protecting State funds allocated to local school systems. Our primary goal is to prevent and uncover fraud, waste, abuse, and educational mismanagement within School Boards, the Maryland State Department of Education, the Interagency Commission of School Construction, the twenty-four (24) local education agencies, and non-public schools that receive State funding across Maryland.

EXECUTIVE SUMMARY

The Office of the Inspector General for Education (OIGE) received complaints alleging that the Prince George's County Public Schools system had irregularities in the awarding of a school construction project and failed to comply with local, state, and federal laws in the use of Minority Business Enterprise (MBE) vendors during the solicitation, evaluation, and contract award process.

Background

Prince George's County, Maryland, is a populous, diverse area that borders Washington, D.C., with over 910,600 residents across approximately 483 square miles.² The county's public school system, Prince George's County Public Schools (PGCPS), is one of the largest in Maryland, operating over 200 schools and serving more than 132,000 students from pre-kindergarten through twelfth grade.³ The district employs nearly 19,000 staff members and maintains an average student-teacher ratio of 14.67:1.⁴ PGCPS has a multi-year Capital Improvement Program (CIP) that funds new school construction, modernization, and facility upgrades. The CIP blends county

¹ Constitution of Maryland, Article VIII, Education, Section 1

² Prince George's County. (2023). Prince George's County profile. (Last accessed December 12, 2025) <https://www.princegeorgescountymd.gov/sites/default/files/media-document/County%20Profile.pdf>

³ Maryland State Department of Education. (2024). Enrollment by Race/Ethnicity and Gender, Table 1. Maryland Report Card. (Last accessed December 12, 2025)

⁴ National Center for Education Statistics. (2024). District Profile: Prince George's County Public Schools (PGCPS). Institute of Education Sciences, U.S. Department of Education. (Last accessed October 8, 2025) <https://nces.ed.gov/ced/districtsearch>

and state funding and is reviewed annually to address enrollment growth, facility conditions, and educational standards.⁵

As part of ongoing capital improvements, the Ellen Ochoa Middle School, previously named the Glenridge Middle School Construction Project (the project), was developed to relieve overcrowding and accommodate projected enrollment growth in the Glenridge Community Park and surrounding communities. The project was officially dedicated during a ribbon-cutting ceremony on or about November 7, 2024.⁶ The new middle school facilities encompassed approximately 160,900 square feet. The 1,200-student school was designed for the upper plateau of the park, with primary access from Flintridge Drive and Gallatin Street. The solicitation and procurement process for the new school started in 2019, with construction scheduled to begin in September 2021, substantial completion anticipated by July 2023, and student and staff occupancy in 2024.

The facility's design incorporated energy-efficient features, including geothermal heating and cooling systems and a rooftop solar array, consistent with modern sustainability standards for public school facilities. The project plan included a gymnasium, a two-story administrative wing, and a central common area connecting the cafeteria and media center to a three-story academic wing. Additional site improvements included developing outdoor learning areas and playfields, as well as enhancing connections to the existing park pathway system.⁷

Interagency Commission on School Construction

The Interagency Commission on School Construction (IAC) was established by the Maryland General Assembly in 1971 to oversee and fund public school construction throughout the state (Education Article §5-301). Initially operating under the Board of Public Works, the IAC became an independent agency within the Maryland State Department of Education in 2018 and, as of July 1, 2023, a fully independent unit of state government. This transition shifted the governing Code of Maryland Regulations (COMAR) from Title 23 to Title 14. The IAC develops and enforces policies and regulations to ensure equitable distribution of state construction funds, administers the Public-School Construction Program CIP, and reviews local project delivery methods and funding requests.⁸

⁵ Prince George's County Public Schools. (2024). Capital Improvement Program Overview. Office of Capital Programs. (Last accessed October 8, 2025) December 12, 2025) <https://www.pgcps.org/offices/capital-programs>

⁶ Nelson, R. (2024, December 6). Dr. Ellen Ochoa inspires the next generation at the ribbon cutting. Prince George's County Public Schools. (Last accessed December 12, 2025) <https://www.pgcps.org/offices/capital-programs/newsletters/ellen-ochoa-ribbon-cutting>

⁷ Prince George's County Public Schools. (2023, June 6). New Glenridge Area Middle School construction update meeting [PDF]. (Last accessed December 12, 2025) https://www.pgcps.org/globalassets/offices/capital-programs/docs---capital-programs/projects/new-glenridge/new-glen-construction-update-meeting_06-06-23_english.pdf

⁸ Maryland State Archives. (n.d.). Interagency Commission on School Construction – Origin & Functions. In Maryland Manual Online. (Last accessed December 12, 2025) <https://msa.maryland.gov/msa/mdmanual/25ind/html/05schof.html>

Relevant provisions of COMAR, along with PGCPs Board Policies and Administrative Procedures, collectively govern the district's school construction procurement processes.⁹ These state regulations require the Local Education Agency (LEA) to obtain prior approval from the IAC for any changes in project delivery methods and to submit all construction contracts and change orders for review and authorization when state funding is provided for the projects. PGCPs policies further establish internal procedures to ensure that all procurement activities related to school construction comply with state law, maintain fiscal accountability, and uphold the principles of transparency and competitive integrity.

Procurement Mechanisms

Piggyback Procurement

Under Maryland regulations, piggybacking is a form of intergovernmental cooperative purchasing that allows a LEA to purchase goods or services under another governmental entity's competitively awarded contract, provided the original contract contains an intergovernmental cooperative purchasing clause (COMAR 14.39.03.12). In practice, this means the LEA can adopt the terms, conditions, and pricing of an existing contract when the originating procurement was conducted competitively and expressly permits such participation. Piggybacking may be used only when the LEA's scope of work matches the scope of the original contract. Because new school construction typically requires its own competitive solicitation, piggybacking is limited to situations where the contract explicitly authorizes the same type of construction or services.¹⁰ LEAs use piggybacking as a procurement method to streamline acquisition and save time.

Project Delivery Methods

COMAR 14.39.03.04 requires LEAs to obtain prior written approval from the IAC before modifying an approved project delivery method.¹¹ Furthermore, Maryland regulations authorize several project delivery methods, including Construction Manager at Risk (CMR) and Construction Manager as Advisor (CMA). A construction manager is a private business entity. In CMA, a construction manager guarantees cost and schedule. In CMR, a construction manager provides advisory services without holding trade contracts. Each method has distinct oversight and fiscal considerations.

COMAR

Maryland State agency regulations are compiled in COMAR under Title 21.05.02. Procurement Regulations, Procurement Methods, and Project Delivery Methods provide LEAs with guidelines for procurement, enabling their local policies to align. According to COMAR Title

⁹ Maryland Code, Education Article § 5-301. (2023). Public School Construction Program. Annotated Code of Maryland, State of Maryland, Division of State Documents. Administration of the Public School Construction Program. (Last accessed October 22, 2025)

¹⁰ Maryland Interagency Commission on School Construction. (2019). Intergovernmental cooperative purchasing (COMAR 14.39.03.12).

¹¹ State of Maryland, Division of State Documents. Administration of the Public School Construction Program. (Last accessed October 22, 2025) Md. Code Regs. 14.39.04.03, 14.39.04.05, 14.39.04.06.

14.39.03.04(B)(1), Choice of Method states that a LEA may use quality-based selection, competitive negotiation, or accept an unsolicited proposal to finance, expedite, manage risk, or otherwise improve the delivery of public-school construction projects. According to subsection (B)(2), any LEA seeking to use one of these alternative procurement methods must first provide documentation demonstrating that the specific conditions outlined in subsection (B)(1) are present. Additionally, the LEA must obtain authorization from the IAC or its designated representative before proceeding with the project.¹²

PGCPS Board of Education Policy

PGCPS Board Policy 3323¹³, titled “Solicitation of Construction Bids,” establishes guidelines for fair and competitive bidding, requiring clear evaluation criteria and documentation of award decisions.¹⁴ In sum and substance, the policy states,

IV Standards: A. 4. Request for Proposals (RFP) a. If, for any reason, the proposal cannot be awarded to the highest technical, lowest priced, responsible, and responsive offeror, the award recommendation shall be approved by the Board prior to awarding the contract. The CEO shall fully advise the Board as to the reasons for not awarding to the highest technical, lowest priced, responsible and responsive offeror.

PGCPS Board Policy 7100, titled “Capital Improvement Program,” outlines the internal process for submitting construction projects for IAC review and approval.¹⁵ In sum and substance, the policy states,

Project Delivery: Alternative project delivery methods shall be investigated and applied as appropriate, including construction management agency, construction management at-risk, design-build, and bridging, in order to continuously improve the efficiency of project delivery and the quality of school construction.

In adherence with Board Policy 3323 Bids, if any bid cannot be awarded to the lowest responsive qualified bidder consistent with good quality, the contract award for construction services must be approved by the Board of Education. The CEO shall fully advise the Board as to the reasons for non-award of the bid to the lowest bidder.

The OIGE initiated an investigation following a complaint alleging irregularities in the procurement process at Ellen Ochoa Middle School. The complaint alleged that the solicitation and award process was compromised by multiple issues, including inconsistent evaluator scoring,

¹² COMAR 14.39.03.04 Choice of Method.

¹³ Prince George’s County Public Schools updated this policy in August of 2022.

¹⁴ Prince George’s County Public Schools. (2017, August 24). Board Policy 3323 – Purchasing. (Version provided by PGCPS) <https://www.pgcps.org/offices/ogracs/board-policies/board-policies-3000---business-and-other-non-instructional-operations/bp-3323---purchasing>

¹⁵ Prince George’s County Public Schools. (2017, August 24). Board Policy 7100 – Capital Improvement Program. (Last accessed December 12, 2025) <https://www.pgcps.org/offices/ogracs/board-policies/board-policies-7000---new-construction/bp-7100---capital-improvement-program>

improper application of Minority Business Enterprise (MBE) and County-Based Enterprise (CBE) bonus points, a change from Construction Management at Risk Services, also known as “best value” or “lowest price,” to a Quality Based Analysis project, and a failure to fully inform the Prince George's County Board of Education (the Board) about these issues before approving the project and beginning construction.

Methodology

This investigation was conducted in accordance with Maryland Education Article § 9.10-104 and the Association of Inspector General Standards for investigative practices. Evidence was obtained through document review, policy analysis, and witness interviews. All complainants and witnesses are anonymized in this report to maintain confidentiality under Maryland Education Article § 9.10-104.

Investigation

The OIGE analyzed the three distinct phases of the project's procurement activities: (1) the 2019 initial solicitation and award; (2) the 2021 re-solicitation and scoring irregularities; and (3) the 2021 Best and Final Offer (BAFO) process, and the subsequent request for retroactive approval from the IAC. The following summarizes the results of document review, interviews, and policy analysis.

At several points throughout the phases, the records do not indicate that the Board was informed of the concerns that arose or of the actions taken to address them. In addition, there was no evidence that PGCPS secured formal Board approval or fully advised the Board. As previously mentioned, PGCPS policies regarding the procedural and scoring issues were not fully reviewed before proceeding with the final award. Witnesses reported that PGCPS officials were concerned that continued delays in the solicitation and award process could jeopardize access to approximately \$40 million in anticipated IAC state construction funding if project milestones were not met within the required timeframe.

2019 Initial Solicitation

In August 2019, the first solicitation for the project was issued. Evaluators ranked MCN Build, a contractor, as the highest-scoring firm, and PGCPS issued a Notice of Award on October 4, 2019. The procurement relied on separate contracts, one of which was for a school and covered capital improvements to an existing school. As previously stated, on October 4, 2019, the PGCPS Departments of Purchasing and Supply Services and Capital Programs, along with the Associate Superintendent and the Chief Operating Officer, issued a Notice of Award to MCN Build.

A competing contractor filed a formal protest challenging the procurement process, citing irregularities in the evaluation methodology and deficiencies in the solicitation's compliance with Maryland procurement law. The protest alleged that PGCPS had relied on an existing rider contract to “piggyback” the project, using preapproved vendors. The protester argued that MCN Build was not listed as an authorized vendor under the contract and that not all vendors on the preapproved

list in the rider contract were invited to submit proposals or quotes for the project. Additionally, the protest noted that the contract PGCPs used was for capital improvements to existing schools, not for new construction.

After an internal review, PGCPs concluded that the protest “had merit.” Therefore, on April 23, 2020, PGCPs issued a formal notice canceling the MCN Build award, citing noncompliance with the State Finance and Procurement Article §11-204. The decision to grant the protest acknowledged that procedural flaws had compromised the solicitation and required PGCPs to resolicit the project.

2021 Re-Solicitation

In February 2021, PGCPs initiated a new procurement process with a revised solicitation, requesting proposals due on April 8, 2021. The evaluation committee reviewed technical and cost proposals from the bidding companies and ranked MCN Build as the top candidate. On or about May 6, 2021, PGCPs issued a Notice of Intent to Award to MCN Build. A competing contractor requested a debriefing on the scoring and notified its intent to protest the award to MCN Build. The competing contractor also asked that the CIP withdraw its recommendation and delay the Board’s planned vote to approve the contract, scheduled for May 12, 2021, citing ongoing concerns about irregular MBE/CBE scoring practices and several other issues.

Despite receiving the intent to protest, the CIP did not remove the vote from the Board's agenda, stating that the protest was not “formally submitted.” The records show that the Board was not advised of the 2019 procurement deficiencies identified in the protest before the project proceeded to re-solicitation.

The Board subsequently voted to approve the award recommendation for MCN Build as outlined in the Board Action Summary (BAS). Notably, the OIGE’s review found that the BAS did not fully inform the Board of ongoing contractor concerns. It also omitted any mention of the intent to protest, any issues raised regarding the evaluator's scoring, and the prior protest from the 2019 solicitation award. During key interviews, the OIGE found that the evaluators could not confirm with certainty that the evaluation sheets submitted to the PGCPs Department of Purchasing and Supply Services, the office responsible for coordinating the scoring process, were the final versions they had submitted. While each evaluator stated that the documents appeared to reflect their overall scores, no one could verify authorship with confidence, raising doubts about the authenticity of the scoring process.

Through a review of documents and correspondence and witness interviews, the OIGE determined that Evaluators received inconsistent guidance on how to apply points for CBE participation. Witnesses reported that evaluators were directed to award additional “bonus” points to firms that demonstrated CBE involvement. They also confirmed that evaluators expressed uncertainty about reconciling the scoring rubric with the direction they received from the then-PGCPs Director of Procurement. Awarding such bonus points ultimately caused certain scores to exceed the maximum point thresholds specified in the solicitation, as depicted in the chart titled “Solicitation

RFP No. DCP 20-018C New Glenridge MS Replacement Project, Technical & Financial Evaluation Summary”.

Possible Points for this Section: 10 7. Achieve additional MBE Participation above 30 percent, 1 point for every percentage over the required 30 percent, up to a total of 5 points	35% achieved for MBE participation			15
Possible Points for this Section: 5 8. Percentage of MBE that are CBE, 1 point per 5% (must meet 30% MBE goal):	10% CBE achieved			10
Total Possible Points:				72

According to the PGCPS Director of Capital Programs, this directive was issued in error. The Director explained that additional CBE bonus points were permissible because they are recognized under PGCPS’s internal policy. However, the Director later acknowledged that the practice of awarding additional CBE bonus points is not authorized under state procurement regulations and described the incident as a “misunderstanding” between local policy allowances and state-level requirements. The evaluators were “confused” by the requirements at the time.

MCN Build						
Evaluators	Evaluator A	Evaluator B	Evaluator C	Avg. Group Technical Points	Base +Alts #1-3, 5 9, 11-14	Total Combined Score
A. Approach to the Project Requirements (Max 65 pts)	72	61	66			
B. Schedule (Max 35 pts)	33	33	34		\$66,580,100.00	
C. Pricing (Max 50 pts)						
Overall Total Points	105	94	100	99.67	47.14	147.41

Note: Solicitation RFP No. DCP20-018C New Glenridge MS Replacement Project, Technical & Financial Evaluation Summary, 5/12/21.

The inclusion of additional bonus points changed the cumulative scoring totals recorded by evaluators, as several evaluators relied on the Director’s instructions when completing their scoring sheets. Consequently, MCN Build’s cumulative score increased overall, while the competing contractors’ scores remained unchanged, seemingly inflating one contractor's score relative to the others. Through interviews and document analysis, OIGE deduced that this confusion and the inconsistent scoring process were central to the irregularities that later resulted in the issuance of Addenda 8 and 9 and the Best and Final Offer (BAFO) process.

2021 BAFO

On or about May 27, 2021, approximately six business days after the Board’s approval of MCN Build, PGCPS issued Addendum 8 to address MBE/CBE scoring irregularities and improve procedural consistency. The addendum established a BAFO process with submissions due by June 4, 2021, a seemingly unreasonable turnaround time for competitors to submit the required materials. The BAFO process was intended to give shortlisted firms an opportunity to submit revised proposals under updated scoring criteria. Then, on or about June 1, 2021, Addendum 9 was issued to provide additional clarification to bidders in response to questions raised after the addition of Addendum 8. Addendum 9 specified that “no other clarifications will be accepted for this solicitation,” and it maintained the established submission due date of June 4, 2021, despite its issuance only four business days before the due date. Both Addenda 8 and 9 were issued to

address prior procedural deficiencies and reinforce expectations for the then-upcoming BAFO process.

Witnesses from both Procurement and Capital Programs stated that Addenda 8 and 9, along with the BAFO process, were intended to clarify evaluation procedures and ensure consistent application of MBE and CBE scoring criteria, with the intent of overriding any prior scores. Following the BAFO evaluation, MCN Build again received the highest cumulative score, as shown in the chart titled “Solicitation RFP No. DCP 20-018C New Glenridge MS Replacement Project, Technical Evaluation Summary BAFO”.

Evaluators	Evaluator A	Evaluator B	Evaluator C	Total Points		
A. Approach to the Project Requirement (Max 65 pts)	59.5	59.5	61.5		\$66,580,100.00	48.37
B. Schedule (Max 35 pts)	38.0	34.0	33.0			
C. Pricing (Max 50 pts)						
Overall Total Points	92.5	93.5	94.5	93.50		141.87

Note: Solicitation RFP No. DCP20-018C New Glenridge MS Replacement Project, Technical & Financial Evaluation Summary BAFO 6/16/21.

During the 2019 procurement process for the project, PGCPs adopted a quality-based CMR-type approach before securing authorization. In June 2021, during the third procurement phase, the PGCPs Director of Capital Programs wrote the IAC to request retroactive approval to classify the procurement as a quality-based selection. In a letter dated June 7, 2021, and three days after the BAFO due date, the Director acknowledged that MBE/CBE bonus points had been misapplied during the evaluation process and requested confirmation from the IAC that the project would remain eligible for state funding.

On or about June 8, 2021, the next day, the IAC issued a formal letter response. The IAC granted prospective approval for the use of a quality-based selection process and reminded PGCPs that any modification to an approved project delivery method requires prior written authorization under COMAR 14.39.03.04(B). The letter emphasized that changes to the solicitation structure or evaluation methodology should not have occurred without advance notice and review by the IAC to ensure compliance with state regulations governing school construction funding. The IAC letter formally reiterated the requirement for PGCPs to obtain prior approval to ensure project eligibility under the State’s Public School Construction Program.

On or about June 24, 2021, PGCPs issued a formal Notice of Award to MCN Build, finalizing the contract without additional review or approval by the Board and without documentation showing that the IAC’s advisory correspondence had been presented to the Board. When asked about the decision not to return the matter to the Board for further consideration, PGCPs officials said the project was operating under a strict two-year funding deadline set by the IAC and that any further delay could have jeopardized the availability of state funds. A PGCPs official opined that the Board's consideration of procedural adjustments to the BAFO process was administrative and therefore did not require formal action by the Board, particularly since the recommended awardee did not change and MCN Build remained the highest-ranked firm in the scoring process.

Also, one PGCPS official disagreed with the earlier decision to grant the 2019 protest, characterizing the issues raised at that time as “clerical in nature” and not material to the procurement process, and adding that granting the protest contributed to delays that put anticipated state funding at risk. However, the documentary record does not support this characterization. The protest had merit due to procurement deficiencies, including the omission of eligible firms from the solicitation and the use of a piggyback contract that was inconsistent with the project’s scope. Although the project involved constructing an entirely new middle school, it was procured as an improvement to an existing school. These issues affected compliance with procurement requirements and were not clerical in nature. Accordingly, the basis for granting the 2019 protest was material to the procurement process, and corrective action was warranted.

According to IAC representatives, state funding allocations are subject to a two-year deadline under COMAR 14.39.02.10. However, if a specific project does not proceed within the required timeframe, the funds may be reassigned to other eligible PGCPS projects. IAC staff also said that funding deadline extensions may be granted when justified and provided examples of extensions granted for other school construction projects.

When the PGCPS official was asked why an extension had not been requested for the project, the official said they believed an extension would not have been granted due to perceived interpersonal or professional conflicts with IAC personnel, adding,

“There are too many hoops...bigger projects were going on at the same time...”

Conversely, when OIGE staff asked about this statement, IAC staff disagreed with the assessment and reiterated that extensions were considered based on project circumstances and documentation, not on personal factors.

FINDINGS

Finding 1: *Noncompliance with COMAR 14.39.03.04 – Quality-Based Selection Approval Requirements*

The investigation found that PGCPS modified the Ellen Ochoa Middle School Construction Procurement from a best-value model to a quality-based selection process without obtaining prior approval from the IAC, as required by COMAR 14.39.03.04(B). Correspondence between PGCPS and the IAC dated June 7–8, 2021, confirms that PGCPS sought retroactive authorization after the evaluation process concluded and the BAFO was received. Although the IAC subsequently granted prospective approval, it also reminded PGCPS that any modification to an approved project delivery method must be authorized in advance. Proceeding without prior approval contravened state regulatory requirements designed to ensure equitable oversight, transparency, and eligibility for state construction funding.

Finding 2: *Noncompliance with PGCPs Board Policy 7100 – Capital Improvement Program Oversight*

Board Policy 7100 mandates that all proposed school construction projects and delivery methods be reviewed, approved, and submitted through the proper IAC channels, with full disclosure to the Board. The OIGE found that although the IAC had previously approved of the Ellen Ochoa Middle School project as a best-value solicitation, PGCPs did not resubmit the modified quality-based delivery method for formal Board approval or document the IAC’s subsequent advisory correspondence in Board records. This lack of coordination among PGCPs administrative offices demonstrates a failure to comply with the procedural oversight provisions of Board Policy 7100.

Finding 3: *Noncompliance with PGCPs Board Policy 3323 – Solicitation of Construction Bids*

OIGE identified gaps in PGCPs’s documentation and communication practices during the procurement process. Evaluation records were inconsistent and incomplete, and key correspondence, including IAC advisories, evaluator concerns, and information on the application of scoring criteria, was not presented to the Board. PGCPs Board Policy 3323 requires that, when a construction award does not follow the highest-technical, lowest-priced, responsive offeror, the Board must approve the award and be fully advised of the reasons for the deviation.

The record does not indicate that the Board was formally informed of the scoring irregularities, the evaluator's concerns, or the shift from a best-value solicitation to a quality-based model before voting to approve the award to MCN Build. Additionally, the BAS did not disclose the issues identified during the evaluation process or the subsequent procedural adjustments. These documentation and communication deficiencies conflict with the requirements of Board Policy 3323 and PGCPs Administrative Procedure 3323, which require full disclosure, including accurate and complete documentation to support the Board's informed decision-making.

Finding 4: *Irregularities in Evaluation Scoring Methodology*

Evidence indicates that inconsistencies arose during the 2021 evaluation cycle in the application of MBE and CBE bonus points. Witnesses confirmed that evaluators were instructed to award extra CBE “bonus” points beyond what the solicitation’s rubric specified. This instruction stemmed from a misunderstanding of the difference between local and state procurement criteria. As a result, this led to inflated scores for certain firms and affected the final ranking before the BAFO. OIGE found that these scoring inconsistencies compromised the fairness of the evaluation process and added to procedural confusion, which was later addressed by Addenda 8 and 9 and the BAFO process.

RECOMMENDATIONS

- 1) The Board of Education (BOE) should establish clear, strict approval thresholds and an authorized approval authority. A formal review process should be established to ensure that no single individual within PGCPs controls the entire construction and procurement review process.

- 2) The BOE should strengthen its communication and understanding of complex construction projects among all stakeholders, including BOE members and assigned school personnel. In this case, the administrative staff failed to keep the BOE informed of critical changes.
- 3) The BOE should review policies and procedures governing bid requirements and require written solicitation, rating, and MBE award specifications when evaluating vendor solicitations. This review should also include the review and disclosure of sensitive bid data prior to contract awards.
- 4) The BOE should implement additional oversight reviews of complex construction projects and conduct independent audits and reviews of procurement and contract award activities. These reviews should also address inadequate documentation practices and promote transparency and accountability. To avoid severe and recurring issues, the BOE should consider a third-party review and legal counsel to assess compliance with local, state, and federal requirements.
- 5) The BOE should review current policies and procedures and develop an annual training program on procurement, ethics, conflict of interest, and requirements governing the use of MBEs.

During this investigation, several limitations constrained the OIGE's review. The documentation provided was incomplete and not submitted promptly. Document disclosure was sometimes inconsistent and delayed, and certain records were incomplete or required clarification before they could be fully evaluated. These factors extended the document review process required to obtain the materials needed to understand the procurement actions taken.

PGCPS personnel reported that these limitations resulted from operational changes during the COVID-19 pandemic. During this period, PGCPS transitioned from paper-based to electronic recordkeeping systems, experienced staffing changes, and implemented updates to internal procedures. These transitions affected the availability, format, and organization of procurement records, resulting in delays in retrieving historical documentation. While these constraints did not prevent the OIGE from conducting its review, they required additional time to verify records, reconcile document versions, and assess the processes in place during the 2019 and 2021 solicitation cycles.

The OIGE recognizes that information may be updated or changed after an investigation is complete. The OIGE thanks the members of the Prince George's County Public School system and the Interagency Commission on School Construction for their cooperation during this investigation.

Respectfully,



Richard P. Henry
Inspector General

Cc: Shawn Joseph, Ed.D., Interim Superintendent, Prince George's County Public Schools
Darnell L. Henderson, Esq., Chief Counsel, Office of Legal Counsel
Brannndon D. Jackson, Chairperson, Prince George's County Public Schools BOE
Members At Large, Prince George's County Public Schools BOE
Frank Turner, II, PGCPS, Integrity and Compliance Officer
Joshua L. Michael, Ph.D., President, Maryland State Board of Education
Carey M. Wright, Ed.D., Maryland State Superintendent of Schools