U.S. Department of Justice
Civil Rights Division

Federal Coordination and Compliance Section
950 Pennsylvania Ave, NW-NWB
Washington, DC 20530

(b) (6) - Privacy

Ms. Velveta Golightly-Howell
Director
Office of Civil Rights
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Stop 1201A
Washington, D.C. 20004

FEB 2 2 2016

Dear Ms. Golightly-Howell:

Enclosed for your review is correspondence received by the Federal Coordination and Compliance Section of the Civil Rights Division of the U.S. Department of Justice. The matter does not appear to be within the jurisdiction of our office.

However, the issues raised may fall within the jurisdiction of your agency and, therefore, we are referring it to you for appropriate disposition. We have also referred this complaint to Ms. Stephanie Jones, Acting Director of the U.S. Department of Transportation's Departmental Office of Civil Rights. The writer has been notified of the referrals.

Thank you for your assistance in this matter.

Sincerely,

Deeana Jang
Chief
Federal Coordination and Compliance Section
Civil Rights Division

Enclosures

MAR 04 2016

MAR 04 2016

U.S. Department of Justice

Civil Rights Division

Federal Coordination and Compliance Section
950 Pennsylvania Ave, NW-NWB
Washington, DC 20530

(b) (6) - Privacy

FEB 2 2 2016

Decatur, GA 30035

Dear (b) (6) - Privacy

This responds to your correspondence to the Federal Coordination and Compliance Section that we received in September 2015 and February 2016 in which you contend that DeKalb County discriminates against minority and women contactors in the process of awarding contracts in violation of Title VI of the Civil Rights Act of 1964.

The Federal Coordination and Compliance Section coordinates the enforcement of various statutes that prohibit discrimination based on race, color, national origin, sex, and religion in programs that receive federal financial assistance. It also investigates complaints of discrimination on these bases against certain recipients of federal financial assistance from the U.S. Department of Justice.

We have considered carefully the information you have provided, but the matter does not appear to be within the jurisdiction of the Civil Rights Division. However, by the enclosed letters, we have referred the matter to federal agencies that may be able to assist you, the U.S. Department of Transportation's Office for Civil Rights and the U.S. Environmental Protection Agency's Office for Civil Rights. Please direct any future correspondence and communication to those offices.

We hope this information is helpful. Please do not hesitate to contact the Department if we may be of assistance with this or any other matter.

Sincerely,

Deeana Jang
Chief
Federal Coordination and Compliance Section
Civil Rights Division

Enclosures

LCW Engineering
INCORPORATED
South Dekalb Business Park
(b) (6) - Privacy
Decatur, Georgia 30035
(b) (6) - Privacy

September 16, 2015

Mr. Lee May
Interim Chief Executive Officer
DeKalb County Government
Manuel J. Maloof Center
1300 Commerce Drive, 6th Floor
Decatur, GA 30030

RE: Recent Acts of Retaliation by DWM CIP Program

Dear Interim CEO Lee May:

We have and still are experiencing acts of retaliation as a result of speaking up about concerns we have had regarding contracting practices within the DWM CIP Program. Simply because we have disagreed with some of the county CIP Management staff's decisions our subcontracts have been altered or not initiated, payments delayed and our staff rejected after good past performance. These recent actions by the county have severely damaged our business.

2015 SEP 30 AM 11:14
CONTRACTS AND COMPLIANCE SECTION

DWM Sole Source On-Call Engineering Contracts						
Contract No.	Prime	Prime Contract Amount	LSBE %	LCW Eng'g Subcontract Amount	Subcontract Earned Amount	Activity
(b) (6) - Privacy [redacted]		$1,223,623	5%	$61,660	$61,660	No work
[redacted]		$1,907,199	17%	$282,125	$20,025	No work
[redacted]		$741,158	15%	$111,204	$0.00	No work
DWM Engineering Services for Stonecrest Sanitary Sewer Construction						
(b) (6) - Privacy [redacted]		$640,726	4%	$26,650	$8,595	No work

(b) (6) - Privacy **Engineering Services for Stonecrest Sanitary Sewer Construction**
(b) (6) - Privacy [redacted]:

In August 2014 we executed a subcontract with a fee of $26,650.00. Our scope included updating the erosion control plans and performing visual inspection of the erosion control BMP's for the full length of the sewer, force main and pump stations. The inspection needed to be done within seven days after installation of BMPs and was not solely based upon the permit requirements. After updating the erosion control plans and starting the inspection of the sewer erosion control, in October we were abruptly told that our services would no longer be needed. (b) (6) - Privacy [redacted] told us that based upon the CM Benchmark's instructions, the county decided not to inspect the rest of the pipeline erosion control BMP's. I asked for

documentation and both Jacobs and the county refused to provide documentation of their decision. We were only allowed to perform $8,595.00 in fees or approximately 30% of the subcontract amount. We have not received any replacement work nor have we been allowed to meet the LSBE percentage.

(b) (6) - Privacy **DWM Sole Source Contract No.14-902888:**
Due to the county's failure to fund the DWM on-call engineering contracts, work was stopped in April 2014. DWM CIP then attempted to give all of the on-call construction management work to (b) (6) - Privacy since they had a contract for the Snapfinger Plant construction management that was delayed. This was protested by the on-call engineering firms which made sense because (b) (6) - Privacy had a contract for a specific project. The county then issued new sole source on-call engineering contracts but they neglected to include the LSBE Ordinance. At first (b) (6) - Priv told us that there would be no LSBE participation requirements. I checked with Scott Callan for guidance on how the LSBE participation would be handled for all of the on-call engineering sole source contracts. He notified me that the LSBE participation for the sole source on-call contracts would be the same as the previous on-call contracts. Also the LSBE participation would start over and not continue from the previous on-call engineering contracts. (b) (6) - Priv disagreed and proceeded to the kick-off meeting knowing we were in disagreement. The kick-off meeting was packed with staff and had to be cancelled due to the disagreement. It was unpleasant situation and the impression left was that it was our fault. After wasting a lot of time, (b) (6) - Priv decided to cooperate but they did not give us the work originally planned for us, instead giving us ten little task orders which were not feasible. We disagreed and Sharon Walker called me at (b) (6) - Privacy request saying we refused the work and she threatened me by stating either we take or leave it. I again disagreed. (b) (6) - Priv finally assigned us the Eastland Road Water Line inspection services which was comparable to the Elam Road Water Line inspection that we were originally supposed to do except (b) (6) - Priv gave it to Benchmark.

Eastland Road Water Line Inspection Services: In February 2015, (b) (6) - Priv informed us that the county rejected our Inspector Chris to return to work as an inspector because he was not qualified. Inspector Chris had already successfully completed two water main inspection projects in the county. Wendell Brown interviewed Inspector Chris without allowing me to be present and then he rejected him. Ken Saunders and Wendell refused to document their decision or provide a job description. I requested a contract compliance meeting that Scott Callan facilitated. During the meeting Ken stated they wanted more senior inspectors and that he would provide a job description. They refused to listen to our rationale that the inspector has no authority in the field. The construction manager has the authority but they did not vet the construction managers. Scott stated he would look into the increased costs to provide senior inspectors. Neither Ken nor Scott followed through on their statements and we were forced to get a senior inspector at a higher cost. Since then I have evidence that inspectors have been accepted by Wendell with little or no inspection experience.

Other (b) (6) - Privacy **Projects**: We have subcontracts with (b) (6) - Privacy to provide construction administration services on four lift station Consent Decree projects. They include Stone Mill I Lift Station, Stone Mill II Lift Station, Fourth Street Lift Station and Lewis Way Lift Station. These projects have been stuck at the 90% design phase for over two years.

(b) (6) - Privacy **Sole Source Contract** (b) (6) - Privacy
Mount Vernon Water Line Inspection Services: In April 2015, our Inspector Eddie started inspection services. Inspector Eddie was not informed by (b) (6) - Privacy Construction Manager

Barbara that an addendum had been issued regarding the #57 stone for the project. She did not provide him with the documents. Inspector Eddie was incorrectly blamed by [redacted] for missing this change in the field. Also Inspector Eddie documented the issues with the compaction test and service laterals which is what he was supposed to do. [redacted] accomplished their goal of removing our inspector from the project when in fact it was their CM Barbara's fault. We submitted another inspector before the deadline [redacted] gave us and [redacted] rejected him and then acted inappropriately by attempting to hire him for a future position with [redacted] CIP CM Wendell brown allowed [redacted] to remove our inspector and replace him with their own inspector. User Department [redacted] CIP CM Wendell Brown has failed to show up for contract compliance meeting. Dept. of Purchasing & Contracting (DPC) failed to provide prior written approval to [redacted] for the change in our schedule as an LSBE firm which means DPC allowed [redacted] to breach our subcontract. Now after 2.5 months of being out of work, [redacted] has failed to provide a subcontract for replacement work for us. They made three offers and we are trying to accept one but they are stalling and not giving us the information we need to accept their offer. So we have been put out of work for the past 2.5 months. Still no weigh in from DWM CIP CM Wendell Brown.

[redacted] Sole Source Contract [redacted]

We have a subcontract with [redacted] that involves two task orders, one for Valley View Sanitary Sewer Replacement Project ($60,000) and the other for the Water & Sewer Main Installations CM Project ($48,100.00). We know that Valley View is scheduled to start mid to late 2016. For the Water & Sewer Main Installation CM Project, we were recently told that the county decided to do it in-house. I questioned [redacted] about replacement work and they told me the county rejected the cost proposals they submitted for replacement CM work. I do not know what BC submitted in their cost proposals. The county told me [redacted] costs were too high. I emailed the county back to say that [redacted] hourly rates are fixed in their contract. So apparently their hours are too high and this should be negotiable. I asked the county to confirm if this is correct because we will do the work in however many hours the county wants to give us. I also let the county know that while they plan to procure additional engineering services contracts soon, they are not utilizing the existing contracts at their full capacity.

In conclusion, we are dealing with a pattern of retaliation caused by DeKalb County DWM CIP Program staff because we have spoken up when we disagree with their decisions. We have also requested that the primes be paid in 30 days as stated in their contracts. They have effectively put us out of work.

Feel free to contact me at [redacted] if you can assist us in stopping this retaliation in order to save our business in DeKalb County.

Regards,

[redacted]

Cc: file

LCW Engineering
INCORPORATED
South DeKalb Business Park
(b) (6) - Privacy
Decatur, Georgia 30035
(b) (6) - Privacy

September 18, 2015

Mr. Lee May
Interim Chief Executive Officer
DeKalb County Government
Manuel J. Maloof Center
1300 Commerce Drive, 6th Floor
Decatur, GA 30030

RE: LCW Engineering Recent Interaction with Ken Saunders

Dear Interim CEO Lee May:

I am here by submitting this letter to voice and document my concerns regarding a contract compliance meeting held on September 16, 2015.

The meeting was held at my request in the Purchasing & Contracting conference room to discuss initiating work for LCW on our subcontract with (b) (6) - Privacy (b) (6) - Privacy DeKalb County staff in attendance were Felton Williams, Phyllis Head, Monica Millines, Ken Saunders and Malika Hakim. (b) (6) - Privacy also attended.

As the discussion progressed, Mr. Saunders became increasingly loud, aggressive and disturbingly confrontational towards me. I viewed his behavior as frightening and threatening. When I raised questions and concerns regarding the status and/or the process relating to initiating work for the (b) (6) - Privacy subcontract, Mr. Saunders proclaimed that "He was the only authority in the room who controls who gets what work and who does not."

During the meeting as I tried to gain a better understanding of the process, I inquired about the status of the current task orders in our subcontract. Mr. Saunders repeated several times, "I don't know". I reiterated to Mr. Saunders that the purpose of the meeting was to get this information and I asked him if he could go back and obtain this information so that the contract could move forward. He stated, "I can give you work or not give you work. I can assign or not assign work." I asked Mr. Williams to make sure that my requests made during the meeting were properly documented and recorded for the record.

Mr. Saunders is an agent, representative and employee of the county. All county employees are expected to act in a professional and respectful manner. I have worked with Mr. Saunders in the past and his behavior has never elevated to the point that I witnessed on Wednesday.

It is my understanding that this is not the first incident where Mr. Saunders has exhibited unprofessional behavior toward individuals that either report to him directly or depend on his approval to do work with the county. It was bought to my attention that two DeKalb county employees have filed restraining orders against him and they refuse to attend any more meetings with him. The former DeKalb County DA investigator visited my office over two years ago and told me that they could not understand why or how the county would hire Mr.

Saunders with his past work history of verbal outbursts and unprofessional behavior. I challenge you to re-examine his employment background and tenure with some of his previous employers. Mr. Saunders has been known to make inflammatory statements. Such comments have caused accusations to be levied against him such as when he discussed how to purchase guns from retailers at his previous job. Was he reprimanded or terminated by that employer?

With all of media coverage of domestic terrorism in the workplace, I feel obligated to report his unprofessional behavior. His hostile and abusive language and tone towards me and my company was unprovoked and unwarranted. My primary concern is to sustain my business. He is wreaking havoc on my business and directly affecting my bottom line. I truly fear for me and my family's safety and I reported this incident to law enforcement after I left the meeting yesterday. It was not illegal but it was certainly dangerous. In the climate we live in today and the incidents that have occurred he exhibits traits that lend me to believe that he could damage my company financially and harm me physically.

What recourse do I have in resolving this matter in order to do business in my own county? I am requesting that you take immediate action to protect the citizens, employees and businesses of this county. If there is someone else I should direct this grievance to please let me know. Feel free to contact me at (b) (6) - Privacy

Regards,

(b) (6) - Privacy

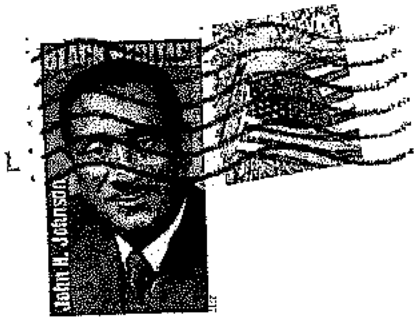
Cc: file

LCW INCORPORATED

(b) (6) - Privacy

ATLANTA METRO 300

21 SEP 2015 PM 10 L



Federal Coordination and Compliance Section
Civil Rights Division
U.S. Dept. of Justice
950 Pennsylvania Ave., NW - NWB
Washington, DC 20530

20530

DeKalb County

Maloof Administration Building / 1300 Commerce Drive / Suite 100 / Decatur, Georgia 30030 / 404-371-2332 / FAX 404-371-4993

Benita C. Ransom, Human Resources Director

Lee May, Interim CEO

December 3, 2015

2015 DEC -9 PM 5:36

(b) (6) - Privacy LCW Engineering, Inc.
South DeKalb Business Park
(b) (6) - Privacy
Decatur, GA 30035

(b) (6) - Privacy

In a letter dated September 18, 2015, you registered a complaint with ICEO Lee May, against Kenneth Saunders, Watershed Management Assistant Director. The Human Resources (HR) Department was assigned to investigate and resolve your concern. This correspondence serves to provide a final disposition regarding this matter.

On September 16, 2015, you, Mr. Saunders and four other individuals participated in a meeting to discuss the level of work assigned to your company. You and Mr. Saunders engaged in a heated verbal dispute which subsequently resulted in the above referenced complaint. The following allegations are quoted from your complaint:

- **Allegation 1:** *"As the discussion progressed, Mr. Saunders became increasingly loud, aggressive and disturbingly confrontational towards me. I viewed his behavior as frightening and threatening."*

- **Allegation 2:** *"When I raised questions and concerns regarding the status and/or the process relating to initiating work for the* (b) (6) - Privacy *subcontract, Mr. Saunders proclaimed that, "He was the only authority in the room who controls who gets what work and who does not."....I reiterated to Mr. Saunders that the purpose of the meeting was to get this information and I asked him if he could go back and obtain this information so that the contract could move forward. He stated, "I can give you work or not give you work. I can assign or not assign work."...I have worked with Mr. Saunders in the past and his behavior has never elevated to the point that I witnessed on Wednesday* (meeting day)*."*

- **Allegation 3:** *"His hostile and abusive language and tone towards me and my company was unprovoked and unwarranted. My primary concern is to sustain my business. He is wreaking havoc on my business and directly affecting my bottom line..... he exhibits traits that led me to believe that he could damage my company financially and harm me physically."*

move at a slow pace, I am available on the 5th at 10:30 but only with the user department present."

Finally, in evaluating the totality of circumstances, it is reasonable to conclude the conduct of Mr. Saunders during the September 16, 2015 meeting does not rise to the level of threatening or hostile behavior. It is also reasonable to conclude you contributed equally to the manner in which the meeting unfolded. Both, you and Mr. Saunders engaged in an unfortunate incident in which a mutually disagreeable conversation took place. Notwithstanding the fact the two of you could have conducted yourselves in a more professional manner, and not excusing Mr. Saunders' behavior in this instance, one would have to conclude, *you gave as good as you got.*

This correspondence concludes any further administrative and/or investigative efforts associated with this issue.

If you have questions, you may contact me at 404.687.4007.

Sincerely,

Alfred Elder

Alfred Elder, Employee Relations Manager

c: Lee May, Interim Chief Executive Officer
Zachary Williams, Chief Operating Officer
Benita C. Ransom, HR Director
Scott Towler, Watershed Director
Kenneth Saunders, Assistant Watershed Director
Jelmita Williams, Employee Relations Coordinator

Loretta Washington

From: Key, Stacey [skey@dot.ga.gov]
Sent: Tuesday, December 08, 2015 10:59 AM
To: (b) (6) - Privacy
Cc: Watson, Stan; Williams, Zachary L.; CEO LEE MAY; stacey@gmsdc.org
Subject: RE: GDOT DBE Meet & Greet and DeKalb County LSBE

(b) (6) - Privacy

Thank you for your email message from yesterday. I appreciate your involvement in the DeKalb LSBE program and your level of engagement in your local community. It requires the informed participation of citizens who care to make government work for all of us. Please allow me to address the concerns that you raised in your email.

First, my roles at GDOT and GMSDC are but two of the many hats I wear, and I can assure you they are not in conflict. I have not been invited to participate or attend the small business meeting hosted by Commissioner Watson, in fact yesterday via your email was the first I learned of the date and time of the session. I applaud Commissioner Watson for his leadership and commitment to the small business community and believe if he needed my assistance there would have been a request for me to attend. I have complete confidence the meeting will be a complete success. If there are small businesses that would like to specifically meet me, please don't hesitate to direct them to me.

Let me be sure you understand the relationship with DeKalb County. The GMSDC's contract with DeKalb County is for the management of the Local Small Business Enterprise certification process and LSBE contract compliance process. We do not set policy for DeKalb where the program is concerned, nor do we have a role in the procurement process that is administered by the County's Department of Purchasing and Contracting. Any questions or concerns you have about contracts or the procurement process should be directed to the DeKalb County Department of Purchasing and Contracting.

In terms of the GDOT Meet and Greet on the 10th, it is one of many public events we have at GDOT to enable us to meet members of the community, engage in dialogue with our constituents and hear their perspectives on transportation in our state. This event has been planned for weeks with complete coordination with board members. If you are unable to attend, there will be other opportunities.

Lastly, my schedule is a complex maze of commitments and responsibilities associated with the various hats I wear. I alone set those priorities. If you have a transportation issue that you would like to discuss, feel free to contact the GDOT Board support staff and request an appointment. If you have issue that pertain to DeKalb County, please reach out to your County Commissioner or the appropriate department. Please don't hesitate to give me a call at 404-310-5040 with further questions. Thank you for your note and Happy Holidays...

Stacey Key
GDOT Board
5th Congressional District

From: (b) (6) - Privacy
Sent: Monday, December 07, 2015 2:19 PM

Click Here to: **REGISTER NOW!**

Questions:

Anthony Miles
DBE Supportive Services Admin.
GDOT DBE Help Desk: 404.631.1273
amiles@mhm-cpa.com

Forward this email

This email was sent to lwashington@lcwengineeringinc.com by amiles@mhm-cpa.com
Update Profile/Email Address Rapid removal with SafeUnsubscribe™ About our service provider.

Constant Contact

MHMiles Company CPA, PC / MHM Financial Services, Inc. 471 H Street NW 3rd Floor Washington DC 20001

Traffic fatalities are on the rise since the beginning of 2015 and Georgia could see the first increase in nine years! Many of these fatalities are the result of distracted driving. DriveAlert ArriveAlive implores motorists to drive responsibly. 1—buckle up; 2—stay off the phone/no texting; and 3—drive alert. Visit www.dot.ga.gov/DS/SafetyOperation/DAAA. #ArriveAliveGA

DeKalb County Commissioner Stan Watson

&

Purchasing and Contracting

Is pleased to present to the Business Community

A Small Business Forum

All LSBE's are invited

Thursday, December 10, 2015

6:30 p.m. – 8:30 p.m.

Manuel Maloof Auditorium

1300 Commerce Drive

Decatur, Georgia 30030

For additional information contact 404-371-3681 or 404-371-7051

From: GDOT DBE Supportive Services (via MHMiles Company CPA, PC) [mailto:amiles@mhm-cpa.com]
Sent: Monday, December 07, 2015 12:29 PM
To: (b) (6) - Privacy
Subject: GDOT DBE Supportive Services: Meet & Greet

JOIN US!

Georgia Department of Transportation

Come meet the new Chair of the GDOT Equal Access committee, Mr. Mark Burkhalter, along with GDOT Board Members, Ms. Dana Lemon

County leaders discuss dysfunction with pastors

2015 DEC 24 PM 12:

Posted by Andrew Cauthen The Champion Newspaper on November 27, 2015 in DeKalb News

A group of DeKalb County pastors met with the Board of Commissioners and interim CEO and urged them to "bury the hatchet."

"All of y'all are injured by one another, so every time you sit down…and when somebody starts talking, all kinds of stuff starts moving inside and automatically we've got a war going on before we get the facts on the table because 'you called the media on me,' 'you did this to me,' 'you stabbed me in the back,' 'I heard about the meeting you had about this,'" Bishop **Eddie Long**, pastor of Lithonia's New Birth Missionary Baptist Church, said to county leaders.

"You don't' trust one another with good reason," Long said. "There should be a meeting where we have a peace treaty."

Long's comments came during a Nov. 23 meeting of approximately a dozen ministers with interim county CEO **Lee May** and Commissioners **Nancy Jester**, **Larry Johnson, Jeff Rader**, **Sharon Barnes Sutton** and **Stan Watson.**

Rev. **Steven N. Dial Sr.**, pastor of Rainbow Park Baptist Church, where the meeting was held, said, "The purpose of the meeting is to have the commissioners come and have a discussion with us on all different topics that we've been hearing about.

"We thought it would be best to hear it straight from you all—you all's perspective on the things that are going on in our county," he said. "It's a very friendly, laid-back informational meeting."

The meeting turned loud and heated at times, and at one point Dial had to raise his voice to calm the county leaders down. The meeting ended with the pastors and commissioners joining hands in prayer.

Various topics were discussed during the two-hour meeting including the failed deal with the Atlanta United professional soccer team to bring its headquarters to DeKalb; interpersonal relations among commissioners and the interim CEO; south DeKalb versus north DeKalb; and alleged government corruption.

May said, "People will say over the last decade DeKalb County has gone down. That's a lie. What you see now is really an ongoing effect of decades—I would say it goes back to **Manuel Maloof**," a former CEO of the county.

He said the special investigation by former attorney general **Mike Bowers** was designed to be a "deep dive into what's going on" in the county government's administration.

Bowers' preliminary report, which stated the county is "rotten to the core" and called for May's resignation, "it went down the road of political craziness," May said.

Commissioner Rader said, "Maloof, in his influence over our Organizational Act, our constitution, embedded a great deal of discretionary authority in the office of the CEO."

The CEO's position is "unilaterally powerful and…not particularly accountable to the Board of Commissioners and…to the public," Rader said. "This discretionary authority issue…is a challenge."

Dr. **Cynthia Hale**, pastor of Ray of Hope Christian Church, said, "I'm clear that there is corruption everywhere. And I know that DeKalb County is not rotten to the core."

Hale asked the commissioners what they are doing about the obvious problems in the county, "for example, the conflict that is constant."

"That's more telling to me: the fact that commissioners and…the interim CEO [are in] a constant conflict [and]…that there's no unity on the board," she said. "If a report really did identify some real issues, I would have no hope that…the county could turnaround."

Commissioner Watson said the county has a "problem with a balance of power.

"Sometimes with a balance of power people could get twisted. We could be self-centered. We could even practice some racism," Watson said. "We're not rotten to the core just because there's Black folks in charge of it right now. Do we have challenges? Yes, we do."

"There are great things going on in DeKalb—that's true—but there are also real problems in DeKalb County that we have to deal with," Commissioner Jester said. "If we ignore them…we will continue to have this…conflict."

One problem, she said, is the CEO position "creates a number of strategic and operational problems for the county."

"I think we need to go to a county manager/board of commissioners setup," Jester said. "I think that would create more unity and more ability to effectively go forward with one vision."

Commissioner Sutton said, "We don't have common goals.

"You have a group of people in power who want more power and they're going to do whatever it takes to get it, including being dishonest," she said. "We have to have more meetings like this so that we'll understand the real problems, what's really going on behind the scenes."

While agreeing that there are problems, Commissioner Johnson told the pastors that the county is still conducting its business. He asked the pastors to look at the county's budget to see the priorities of the county government. He cited funding for the mobile mental health crisis unit; parks and recreation department and the free lunches served to youth during the summer; sanitation services improvements; and the hiring of additional fire personnel.

May said county leaders have a problem with the "unity thing."

"When you have politics and personal attacks, it's hard for people to work together," he said. "When Mike Bowers did the crazy thing that happened…, six of the seven commissioners, they didn't say anything. And I was thankful.

"But one commissioner came out with her sign saying 'Lee May resign,'" May said. "So it's difficult for me to sit down and have a conversation [with Commissioner Jester].

"I don't expect your first call to be to **Adam Murphy** with CBS Atlanta to expose something that's going on that you didn't even give me an opportunity to fix," May said.

"That's just some of the challenges," he added.

Long told the county leaders that "it seems like…you have inherited a functional system problem that needs to be addressed. If the legacy of this board is to address that system so it doesn't keep perpetuating itself, then I think that is a vision and a goal that must be done.

"What I hear you saying is we really can't be successful in saving DeKalb with the system that we're in at this moment," Long said. "Somebody has to stand up and say, 'This won't work.'"

Bishop **Quincy Lavelle Carswell**, of the Convent Church, said, "My first inclination for all of you was that you do us a favor and resign when we hear and heard all of the reports…and see all the dysfunction.

"How are you dealing with this dysfunction? How are you all going to come together?" Carswell said. "Personally, I'm tired of seeing our elected officials constantly bickering, not getting anything done commission meeting after commission meeting."

He suggested that a teambuilding retreat may be necessary.

May thanked the pastors for organizing the meeting and asked them to schedule similar meetings on a quarterly basis.

"What I think you have seen here today is a level of transparency," May said. "We're putting our cards on the table and we don't do that because we want you to think we got it all together. And we don't [have] it all together.

"It's a tough conversation but if it stops right here, we've all failed," May said, also asking the pastors to pray for the county's leadership "collectively and individually."

FEDERAL COORDINATION AND COMPLIANCE SECTION

2015 SEP -3 AM 10: 11

U.S. Department of Justice

Civil Rights Division

Federal Coordination and Compliance Section
950 Pennsylvania Ave., NW - NWB
Washington, DC 20530

NOTICE ABOUT INVESTIGATORY USES OF PERSONAL INFORMATION

NOTICE OF COMPLAINANT AND INTERVIEWEE RIGHTS AND PRIVILEGES

Complainants and individuals who cooperate in an investigation, proceeding, or hearing conducted by Department of Justice (DOJ) are afforded certain rights and protections. This brief description will provide you with an overview of these rights and protections.

- A recipient may not force its employees to be represented by the recipient's counsel nor may it intimidate, threaten, coerce or discriminate against any employee who refuses to reveal to the recipient the content of an interview. An employee does, however, have the right to representation during an interview with DOJ. The representative may be the recipient's counsel, the employee's private counsel, or anyone else the interviewee authorizes to be present.

- Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d – 2000d7, and its implementing regulations, 28 C.F.R. § 42.401 et seq., govern DOJ's compliance and enforcement authority. These provisions provide that no recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual because he/she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted under DOJ's jurisdiction, or has asserted rights protected by statutes DOJ enforces.

- Information obtained from the complainant or other individual maintained in DOJ's investigative files may be exempt from disclosure under the Privacy Act or under the Freedom of Information Act if the release of such information would constitute an unwarranted invasion of personal privacy

There are two laws governing personal information submitted to any federal agency, including the DOJ: The Privacy Act of 1974 (5 U.S.C. § 552a), and the Freedom of Information Act (5 U.S.C. § 552).

THE PRIVACY ACT protects individuals from misuse of personal information held by the federal government. The law applies to records that are kept and that can be located by the individual's name or social security number or other personal identification system. Persons who submit information to the government should know that:

- DOJ is required to investigate complaints of discrimination on the basis of race, color, national origin, sex, disability, age, and, in some instances, religion against recipients of Federal financial assistance. DOJ also is authorized to conduct reviews of federally funded recipients to assess their compliance with civil rights laws.

- Information that DOJ collects is analyzed by authorized personnel within the agency. This information may include personnel records or other personal information. DOJ staff may need to reveal certain information to persons outside the agency in the course of verifying facts or gathering new facts to develop a basis for making a civil rights compliance determination. Such details could include the physical condition or age of a complainant. DOJ also may be required to reveal certain information to any individual who requests it under the provisions of the Freedom of Information Act.

- The personal information will be used primarily for DOJ's authorized civil rights compliance and enforcement activities. FCS will not disclose your name or other identifying information about you unless it is necessary for enforcement activities against an entity alleged to have violated federal law, or unless such information is required to be disclosed under the Freedom of Information Act, 5 U.S.C. § 552, or disclosure is allowed through the publication of a routine use in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a. **http://edocket.access.gpo.gov/2003/pdf/03-20342.pdf** To further the Department's enforcement activities, information FCS has about you may be given to: appropriate federal, state, or local agencies: Members of Congress or staff; volunteer student workers within the Department of Justice so that they may perform their duties; the news media when release is made consistent with the Freedom of Information Act and 28 C.F.R. § 40.2; and the National Archives and Records Administration and General Services Administration to perform records management inspection functions in accordance with their legal responsibilities.

- No law requires a complainant to give personal information to DOJ, and no sanctions will be imposed on complainants or other individuals who deny DOJ's request. However, if DOJ fails to obtain information needed to investigate allegations of discrimination, it may be necessary to close the investigation.

- The Privacy Act permits certain types of systems of records to be exempt from some of its requirements, including the access provisions. It is the policy of DOJ to exercise authority to exempt systems of records only in compelling cases. DOJ may deny a complainant access to the files compiled during the agency investigation of his or her civil rights complaint against a recipient of federal financial assistance. Complaint files are exempt in order to aid negotiations between recipients and DOJ in resolving civil rights issues and to encourage recipients to furnish information essential to the investigation.

<u>THE FREEDOM OF INFORMATION ACT</u> gives the public access to certain files and records of the federal government. Individuals can obtain items from many categories of records of the government -- not just materials that apply to them personally. DOJ must honor requests under the Freedom of Information Act, with some exceptions. DOJ generally is not required to release documents during an investigation or enforcement proceedings if the release could have an adverse effect on the ability of the agency to do its job. Also, any Federal agency may refuse a request for records compiled for law enforcement purposes if their release could be an "unwarranted invasion of privacy" of an individual. Requests for other records, such as personnel and medical files, may be denied where the disclosure would be a "clearly unwarranted invasion of privacy."

OMB No. 1190-0008
Expires: 6/30/2017

U.S. Department of Justice
Civil Rights Division

Federal Coordination and Compliance Section
950 Pennsylvania Ave, NW
Washington, DC 20530

COMPLAINT FORM

The purpose of this form is to assist you in filing a complaint with the Federal Coordination and Compliance Section (FCS). You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (*) must be provided if you submit something other than this form.

1.* Your name and address.
Name: (b) (6) - Privacy
Address: (b) (6) - Privacy
Decatur, Georgia Zip 30035
Telephone: Home: (b) (6) - Privacy Work or Cell: (b) (6) - Privacy

2.* Person(s) discriminated against, if different from above:
Name: LCW Engineering, Inc.
Address: South DeKalb Business Park, (b) (6) - Privacy
Decatur, Georgia Zip 30035
Telephone: Home: (b) (6) - Privacy Work or Cell: (b) (6) - Privacy
Please explain your relationship to this person(s).
President and CEO

3.* Agency and department or program that discriminated:
Name: DeKalb County Government, Interim CEO Lee May
Address: 1300 Commerce Drive, 6th Floor
Decatur, Georgia Zip 30030
Telephone: Home: (404) 371-2881 Work or Cell: ( )

4A.* Non-employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the department or agency in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken.

X Race/Ethnicity: Black (Same race)
__ National origin:
X Sex: Female
__ Religion:
__ Age:
__ Disability:

OMB No. 1190-0008
Expires: 6/30/2017

4B.* Employment: Does your complaint concern discrimination in employment by the department or agency? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken.

____ Race/Ethnicity: _____
____ National origin: _____
____ Sex: _____
____ Religion: _____
____ Age: _____
____ Disability: _____

5. What is the most convenient time and place for us to contact you about this complaint?
8:00am until 5:00pm at the LCW Engineering office address and phone above.

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: N/A
Telephone: Home:(____)_____ Work or Cell: (____)_____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:
Name: N/A
Address: _____
_____Zip_____
Telephone: Home: (____)_____Work or Cell: (____)_____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination: February 2015
Most recent date of discrimination: Present 8/24/2015

9. Complaints of discrimination generally must be filed within 180 days of the alleged discrimination. If the most recent date of discrimination, listed above, is more than 180 days ago, you may request a waiver of the filing requirement. If you wish to request a waiver, please explain why you waited until now to file your complaint and FCS will evaluate the explanation and decide if a waiver is appropriate.

_____
_____
_____
_____

OMB No. 1190-0008
Expires: 6/30/2017

10.* Please explain, as clearly and neatly as possible, what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case.)

DeKalb County does not have a Title VI Non-Discrimination Policy. They have been operating in non-compliance of the Civil Rights Act. DeKalb County is not LAP Certified by Georgia DOT to administer federally funded transportation projects..

LCW Engineering is a Black woman-owned and operated civil engineering and construction management firm located in DeKalb County. Established in August 2004, we witnessed early on when we got LSBE certified that minority and women contractors were treated differently. Large contractors were provided open door access to county officials and user departments. Constant donations were requested for campaigns, pet projects, to meet/feed/greet officials, etc. We did the minimum business campaign donations but we felt we could not pay-to-play because it was not ethical . We felt that by acting on our past performance, integrity and relationships as a government contractor that we would get work. Black and women LSBE contractors make up the majority of certified LSBE vendors in DeKalb County and we have been disenfranchised by the LSBE Program. We first filed a Title VI Complaint in 2009. Many minority/women LSBE contractors have had to shut down or are suffering. when there is plenty of work.

LCW Engineering has been blackballed because we have spoken up about fraud in the LSBE and the false claims acts involving EPA, HUD, DOT and DOE federal funding. We have never had our own contract (not even a small contract) and we are being driven out of business in DeKalb County. We have marketed and gotten subcontracts only to have the county not allow us to perform and reach the subcontracted fee amount. LCW has over $2M of subcontract work on federal funded contracts that we were not allowed to perform by the county. We want to know where that money went. Our current subcontracts are all in DWM CIP Program where we have encountered gross discrimination and harassment in the last few months. We realized we had solid evidence of discrimination after we formed LSBE Vendors for Jobs, LLC and then met with the HUD OIG office in May 2005. We have over $400,000 in subcontracts but yet we have no work. The CIP program, which includes the EPD/Georgia EPD consent decree program contracts, has incurred costly monetary contract damages to taxpayers. They are over-utilizing these same few black/women LSBE contractors. We have numerous consent decree projects on hold or behind. (Continued on attached sheets)

11. Title VI of the Civil Rights Acts of 1964, 42 U.S.C. §§ 2000d – 2000d7 and the nondiscrimination section of the Omnibus Crime Control and Safe Streets Act of 1968, 28 U.S.C.§ 3789d(c), prohibit recipients of Department of Justice funds from intimidating or retaliating against anyone because he or she has either taken action or participated in an action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #10), please explain, as clearly and neatly as possible, the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.

I have filed numerous complaints and tried to speak up. Interim CEO Lee May has not responded to any of my correspondence regarding retaliation concerns with the CIP Program Director Kenneth Saunders and CIP Construction Manager Wendell Brown. Contract compliance meetings have resulted in one thing being stated in meeting that the county would do but afterwards nothing is done. Either our prime contractor is taking work away from us, the county is rejecting our staff who performed well on previous projects or the county is not giving our prime any work for us to do.. We have over $400,000 in subcontracts yet we have no work while the county will soon procure more engineering contracts. We are being driven out of business in DeKalb County. (continued on attached sheets)

OMB No. 1190-0008
Expires: 6/30/2017

12. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name Address Area Code/Telephone

(b) (6) - Privacy

13. Do you have any other information that you think is relevant to our investigation of your allegations?

Numerous files and documents.

(b) (6) - Privacy will be submitting a similar complaint soon to support this complaint.

14. What remedy are you seeking for the alleged discrimination?

1. Cease all Federal Funding to DeKalb County until it implements a Title VI Policy. 2. Prohibit Revisions to the LSBE Ordinance until a Federal Forensic Audit of the LSBE Program is performed. 3. Federal Forensic Audit of the DWM CIP Program. 4. Place the 20% LSBE Contract Funding in a 3rd Party Trust Account to be overseen by an Ombudsman. 5. Compensatory and punitive damages by directing the county to award us a contract immediately.

15. Have you (or the person discriminated against) filed the same or any other complaints with other offices of the Department of Justice (including the Office of Justice Programs, Federal Bureau of Investigation, etc.) or other Federal agencies?

Yes X No ____

If so, do you remember the Complaint Number?

No

What agency and department or program was it filed with?

Title VI Complaint (2009) and DBE Complaint (2011) filed with Georgia DOT; Section 3 Complaint HUD (2010) and HUD OIG (2015).

Address: _____

Atlanta, GA and Washington DC Zip _____

Telephone No: (____)_____

Date of Filing: _____ Filed Against: DeKalb County

OMB No. 1190-0008
Expires: 6/30/2017

Briefly, what was the complaint about?

Title VI Complaint in Dec 2009 regarding being shut out of a bid and DeKalb County not adhering to DBE requirements. Complaint was re-submitted in June 2011 as DBE Complaint based on GDOT recommendation. HUD Sec 3 filed in 2010 as a result of being shut out of CDBG funded contracts and bid shopping. Filed complaint with two other contractors with HUD OIG re: NSP grants and CDBG grants and fraud in LSBE Program.

What was the result?

GDOT's Michael Cooper stated "how could I possibly have problems when DeKalb has a majority Black leadership?." Plus he used to work for DeKalb County. Complaints went nowhere.

HUD OIG complaint pending.

16. Have you filed a charge or complaint concerning the matters raised in this complaint with any of the following?

_____ U.S. Equal Employment Opportunity Commission
_____ Federal or State Court
_____ Your State or local Human Relations/Rights Commission
_____ Grievance or complaint office
_____ Other _____

17. If you have already filed a charge or complaint with an agency indicated in #16, above, please provide the following information (attach additional pages if necessary):

Agency: _____
Date filed: _____
Case or Docket Number: _____
Date of Trial/Hearing: _____
Location of Agency/Court: _____
Name of Investigator: _____
Status of Case: _____
Comments: _____

18. While it is not necessary for you to know about aid that the agency or institution you are filing against receives from the Federal government, if you know of any Department of Justice funds or assistance received by the program or department in which the alleged discrimination occurred, please provide that information below.

HUD CDBG, HUD NSP, DOT federal funding, DOE Roof replacements, EPA federal funding, Recovery Zone Bond funds.

OMB No. 1190-0008
Expires: 6/30/2017

19.* We cannot accept a complaint if it has not been signed. Please sign and date this Complaint Form below.

(b) (6) - Privacy 8/31/15

(Si[redacted] (Date)

Please feel free to add additional sheets to explain the present situation to us.

We will need your consent to disclose your name, if necessary, in the course of any investigation. Therefore, we will need a signed Consent Form from you. (If you are filing this complaint for a person whom you allege has been discriminated against, we will in most instances need a signed Consent Form from that person.) See the "Notice about Investigatory Uses of Personal Information" for information about the Consent Form. Please mail the completed, signed Discrimination Complaint Form and the signed Consent Form (please make one copy of each for your records) to:

United States Department of Justice
Civil Rights Division
Federal Coordination and Compliance Section - NWB
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Toll-free Voice and TDD: (888) 848-5306
Voice: (202) 307-2222
TDD: (202) 307-2678

20. How did you learn that you could file this complaint?
Previously filed in 2009.

21. If your complaint has already been assigned a DOJ complaint number, please list it here:

Note: If a currently valid OMB control number is not displayed on the first page, you are not required to fill out this complaint form unless the Department of Justice has begun an administrative investigation into this complaint.

OMB No. 1190-0008
Expires: 6/30/2017

U.S. Department of Justice
Civil Rights Division

Federal Coordination and Compliance Section
950 Pennsylvania Ave, NW
Washington, DC 20530

COMPLAINANT CONSENT/RELEASE FORM

Your Name: (b) (6) - Privacy

Address: (b) (6) - Privacy Decatur, Georgia 30035

Complaint number(s): (if known) _____

Please read the information below, check the appropriate box, and sign this form.

I have read the Notice of Investigatory Uses of Personal Information by the Department of Justice (DOJ). As a complainant, I understand that in the course of an investigation it may become necessary for DOJ to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of DOJ to honor requests under the Freedom of Information Act. I understand that it may be necessary for DOJ to disclose information, including personally identifying details, that it has gathered as a part of its investigation of my complaint. In addition, I understand that as a complainant I am protected by DOJ's regulations from intimidation or retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes enforced by DOJ.

CONSENT/RELEASE

[X] CONSENT - I have read and understand the above information and authorize DOJ to reveal my identity to persons at the organization or institution under investigation. I hereby authorize the Department of Justice (DOJ) to receive material and information about me pertinent to the investigation of my complaint. This release includes, but is not limited to, personal records and medical records. I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release, and do so voluntarily.

[ ] CONSENT DENIED - I have read and understand the above information and do not want DOJ to reveal my identity to the organization or institution under investigation, or to review, receive copies of, or discuss material and information about me, pertinent to the investigation of my complaint. I understand this is likely to impede the investigation of my complaint and may result in the closure of the investigation.

(b) (6) - Privacy

SIGNA

DATE 8/31/15

OMB No. 1190-0008
Expires: 6/30/2017

10. What happened (Continued)

Only majority and the Black/women contractors that are part of the friends/family/political favorites/fraud/kickbacks are given work and repeated contracts. These small few Black/ women contractors, mostly located outside of DeKalb County and mentioned in the 2013 DeKalb County Grand Jury Report, represent a large percentage of LSBE contracts and jobs numbers. The CIP Program has been used to allow fraudulent LSBE firms to get contracts and give kickbacks to county staff and officials.

The Grand Jury Report recommended change or get rid of the LSBE Program. But county changes are further damaging the program and black and women LSBE contractors. There has been no monitoring or reporting on the state of overall LSBE Program to the County Board of Commissioners or public. County LSBE/contract compliance staff was downsized and the program outsourced recently with no notice to certified LSBE contractors. Currently there are pending revisions to LSBE Ordinance that would charge a fee for certification/recertification and raise the revenue limit for certification. I served on the LSBE Roundtable (made up of only 20% LSBEs and mostly staff) convened for six weeks in 2013 and ended with no summary of recommendations. Yet the LSBE Roundtable is being used as the basis for revisions. DeKalb County has not performed a Disparity Study that would show the majority of Black and women contractors are under-utilized and disenfranchised.

Most county officials and staff are Black. The County CEO (mayor) went to prison recently for extorting contractors and perjury. He extorted me and I called the FBI because I knew we would continue to be blackballed. A County Commissioner went to jail recently for false payments to a contractor. Numerous others have been indicted and many investigations are pending.

I also serve as President of LSBE Vendors for Jobs, LLC. All of our Black and women LSBE contractors have been discriminated against and disenfranchised and they are not getting very little, if any work.

Others treated differently:
CERM may have gotten some type of county Economic Development loan to move into Dekalb County. I noticed they instantly started getting a lot of contracts. Some were no bid. I felt there was enough room for all of us and it's good if you get work. Then I was at a PTA meeting at my son's high school and CERM's VP was there. He said "Oh y'all are our competitor!" I said not really, we do mostly different things. And we should not compete anyway."

I met Michael Walker, a former county Roads & Drainage employee and he told me he worked with CERM and invited me to come by. We set up a meeting. When I got there Michael was in the conference room meeting with county staff. Al Edwards, CERM CEO, came out and walked by and invited me into his office. He asked me how things were going. He asked me why I had not included him on our team. I thought he was referring to our GDOT contract so I told him that there was not really any geotechnical work. He said "no, not GDOT, I'm talking about Dekalb County." I said "we don't have a Dekalb County contract." He said" I know. If you had me on your team you might have one. Have you heard anything about my firm?" I told him not really but I probably would not pay attention to it anyway. He mentioned he and Kelvin Walton were good friends. He said some things about our clients that made me realize Kelvin had given him information about our contracts. Al said "you know what they say about you? They say you take the gun and shoot the bullets and the reload and keep shooting." I was stunned and chills

went down my spine. I said "what are talking about?" He said "you need to leave Kelvin and his staff alone. And Sharon Walker is a nice person after work hours." I said "I've never done anything to these people. I have made business decisions and asked questions. It's not personal. You need to consider your sources. "He then made an obscene movement that made me get up and get out of his office. I was hurt. It confirmed for me that they were talking about my company like we were some kind of an enemy. I felt like I had just talked to the devil. I decided I would keep my distance from Al.

I then learned from our client for the Atlanta airport that they were not putting us back on their team because they were using CERM since CERM could get them some work in Dekalb County.

After that I was shaken down by CEO Burrell Ellis for a campaign donation. I called the FBI and they called it financial extortion and investigated.

After not winning a bid we submitted (mainly because it was geared to a minority favorite contractor who donated so much money to CEO Burrell Ellis that he had to give them money back) I wrote a comprehensive letter to the BOC. Mostly about the bid, the CEO's shakedown, etc. I briefly mentioned a few things about what Al had said to me. I got a letter from his attorney about slander. CEO Ellis was indicted the next week.

CERM was mentioned in grand jury report as one of three contractors alleged to have given cash money to Kelvin Walton to give to Nina Hall to save her house. The three contractors were CERM (Al Edwards), MME (Barry Bennett) and the Collaborative Firm (Michael Hightower). That's when I realized why the county and Al treated me badly, because I refused to pay to play. They are part of the 5% to 10% of the minority/women contractors who have been favored. The other 90% to 95% of us have been discriminated against.

The CEO Burrell Ellis trial confirmed the discrimination where He is on tape saying he was making some contractors "minority millionaires."

Another firm treated differently than us is **Graham Consulting.** Angela Graham entered the scene as a close friend of Commissioner Stan Watson. He held meetings for small businesses but the only thing that came out of it was lucrative contracts for Graham Consulting. Stan set her up on numerous teams for work. He recently was found guilt of ethics violations for being on a contractors' (APD Solutions Vaughn Irons) payroll and voting for APD to get HUD funded contracts. APD was ineligible to get contracts because Vaughn serves as chair of Development Authority.

11. Retaliation (Continued)

We have been also been retaliated against by the county in the following manner:

(b) (6) - Privacy Eastland Road Water Line: Wendell Brown and Ken Saunders rejected our Inspector Chris Washington to return to work saying he was not qualified. Inspector Chris had already successfully completed two water main projects in the county.

(b) (6) - Privacy Mount Vernon Water Line: Our inspector was unaware of the addendum/change order regarding #57 stone for the project (b) (6) - Privac did not inform him or provide him with the documents. He was incorrectly blamed for missing this change. Also our inspector documented the issues with the compaction test and service laterals which is what he was supposed to do. (b) (6) - Priva accomplished their goal of removing our inspector from the project. The county allowed them to do it because another inspector was put in our place. Now they have made three offers of replacement work for us. We are trying to accept Offer #2 but they are stalling and not giving us the information we need to accept their offer. So we have been put out of work.

(b) (6) - Privacy We have a subcontract with (b)(6) for $120,000. It involves two task orders for Valley View Sanitary Sewer Replacement Project ($60,000) and the Water & Sewer Main Installations CM Project ($60,000). We know that Valley View is scheduled to start mid to late 2016. For the Water & Sewer Main Installation CM Project, we were recently told that the county decided to do it in-house. I questioned (b) (6) about replacement work and they told me the county rejected the cost proposals they submitted for replacement work. I do not know what (b) (6) submitted in their cost proposals. The county told me (b) (6) - Priv costs were too high. I emailed the county back to say that (b) (6) - Priv hourly rates are fixed in their contract. So apparently their number of hours are too high and this should be negotiable. I asked the county to confirm if this is correct because we will do the work in however many hours they want to give us. I am waiting to hear back from the county. I also let the county know that while they plan to procure additional engineering services contracts soon, they are not utilizing the existing contracts at their full capacity.

In conclusion, we are dealing with cases of retaliation caused by DeKalb County DWM CIP Program staff because we have spoken up when we disagree with their decisions. They have effectively put us out of work.

LCW Engineering INCORPORATED

Subcontract Listing
4/28/2015

(b) (6) - Privacy
South DeKalb Business Park
(b) (6) - Privacy
Decatur, Georgia 30035
(b) (6) - Privacy

No.	Contract Name	RFP No.	Contract No.	Expiraration Date	Prime	Contract Amount	Contract Amount Earned	LCW Subcontract Amount	LCW Subcontract Amount Earned	Federal Funding	Damages
1	Public Works Transportation Engineering On-Call	06-500043	07-900715	Expired	(b) (6) - Privacy [redacted]	> $800,000	full amount	5%	4%	Yes FHWA	> $8,000
Notes: Complained to Contract Compliance. County produced fraudulent letter from Prime during meeting and Debra brewer was hesitant to pull out the letter. LCW Filed Title VI Complaint with GDOT. LCW filed DBE Complaint with GDOT.											
2	Public Works Transportation Engineering On-Call	06-500043	07-900716	Expired and selected again	(b) (6) - Privacy [redacted]	> $800,000	full amount	5%	2%	Yes FHWA	> $24,000
Notes: Complained to Contract Compliance. LCW Filed Title VI Complaint with GDOT. LCW filed DBE Complaint with GDOT. LCW was not allowed to prepare Panola Road Widening Ph II Right-of-Way Plans.											
3	Facilities Management A/E On-Call	08-500084	09-901573	Active (Extended)	(b) (6) - Privacy [redacted]	> $2,000,000	Still Active	5%	0%	Yes HUD CDBG	> $150,000
Notes: Complained to Contract Compliance. Filed HUD Section 3 Complaint in regards to bid shopping. LCW is a HUD Section 3 Certified business in DeKalb County. Task Orders included Lou Walker Senior Center Parking Lot Expansion, Fire Station No. 10. LCW received no work as the only civil engineering subcontractor on team.											
4	Study of the Water Distribution and Waste Water Collection System Inclusive of Inspection, Evaluation, Geographical Location and Inventory	05-500002	06-900397	Cancelled due to corruption	(b) (6) - Privacy [redacted]	$4M/year for up to 5 years	$11M ?	1% or $800,000	$526,450	No	$273,550
Notes: Contract cancelled due to corruption (County Project Manager, Nadine Maghsoudlou, put her brother-in-law Hadi Hieri on contract). County then broke project into 3 different contracts, re-bidded and (b) (6) - Privacy was awarded a new contract without us on team.											
5	DeKalb GIS Parcel Conversion Project	09-500100	09-901749	Expired	(b) (6) - Privacy [redacted]	$1.5M	?	$325,498	$174,488	No	$150,000
Notes: Prime shipped work overseas. Sent me a letter stating that this was a task order contract and our task has ended (this was not true). Filed Complaint with DeKalb County.											
6	Professiona Engineering and Design Services for Public Works Projects (On-Call Services)	09-500115 (b) (6) - Privacy [redacted]		Expired	(b) (6) - Privacy [redacted]	$3M to six firm (b) (6) - Privacy [redacted]				No	>$130,000
Filed numerous complaints with county.											
7	Snapfinger and Pole Bridge Creek Wastewater Treatment Plant Interplant Storage and Conveyance System Design	07-500057	07-901000	Expired	(b) (6) - Privacy [redacted]	$21,155,243	full amount	7% or $1,480,867	$139,966 or 0.7%	No	$1,340,000
Filed complaints with county. County had meeting with [redacted] and all LSBEs. No DWM representation was there. Ken Saunders [redacted] representative) misrepresented what each discipline could perform. Later, [redacted] let him go. Dekalb County hired him and he is now over the DWM $1.3B CIP program. He is mentioned in Grand Jury report as having been a possible plant on selection committees.											
8	Professional Engineering services for the Watershed Management Department (On-call)	10-500141	(b) (6) - Privacy [redacted]	Expired - Renewed as Sole Source	Brown and Caldwell R2T	(b) (6) - Privacy [redacted]	Full Amounts	(b) (6) - Privacy [redacted]		No	Brown and Caldwell $189,980 / R2T $114,995
File numerous complaints with county.											

Total Damages= $ 2.38 M

on-neutral
hipping

(b) (6) - Privacy

SHIP DATE: 02SEP15
ACTWGT: 0.30 LB
CAD: 6992588/SSFO1621

BILL THIRD PARTY

DECATUR, GA 30035
UNITED STATES US

TO FED COORD &COMPLIANCE SECTION
U.S DEPT OF JUSTICE ,CIVIL RIGHTS D
950 PENNSYLVANIA AVE NW

RECEIVED
SEP 04 2015
DOJ MAILROOM

WASHINGTON DC 20530

(888) 848-5306 REF:
INV: DEPT:
PO:

FedEx
Express

X-RAYED

SEP 04 2015
TRK# 7812 6190 7547
0201
DOJ MAILROOM

FRI - 04 SEP 10:30A
X-RAYED
MORNING 2DAY
SEP 04 2015
DOJ MAILROOM

20530
DC-US
IAD

SK RDVA

Reusable

HAL 10:30 7547
09.04
F2